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JUDGE DAVID WALKER

HIS LIFE AND LETTERS

edited by
W. J. LEMKE

published by the

WASHINGTON COUNTY HISTORICAL SOCIETY

118 E. Dickson St.

Fayetteville AR 72701

The
L I F E a n d L E T T E R S
of
J U D G E D A V I D W A L K E R
of Fayetteville

- O -

JUSTICE
of the Arkansas Supreme Court
1848-1857, 1866-1868, 1874-1878

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Judge David Walker

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INTRODUCTION

Judge David Walker was a prolific letter-writer. If all the letters that he wrote, during a half century of public activity, had been preserved and could be collected in one volume, they would form a veritable history of Arkansas.

Twenty-six of Judge Walker's letters (written to members of his own family or other relatives) have been published by the Washington County Historical Society in a volume entitled "The Walker Family Letters". The originals of these letters have been preserved by the family and are now in the keeping of a great-grandson, Wythe Walker of New York City.

Other David Walker letters have been found in the archives of the Arkansas History Commission, Old State House, Little Rock. These have been made available to us by Ted R. Worley, executive secretary of the History Commission. They include seven letters that Judge Walker wrote to his colleague on the Arkansas Supreme Court bench, Judge C.C. Scott of Camden; six letters or telegrams that he sent to D.C. Williams, Van Buren business man; and fourteen letters that Judge Walker wrote to the Rev. R.W. Trimble of Pine Bluff when the latter solicited his help in compiling a history of Arkansas. These letters which are in the Scott, Williams, and Trimble collections of the Arkansas History Commission are reproduced in this book.

There are other David Walker letters in private hands, a few of which we have been able to obtain for publication in this volume.

We do not know if Judge Walker copied the letters he wrote, in letterbooks. If he did, and if there are any of his letterbooks in existence, we have not seen them. However, he did compose letters in some of the blank books in which he also wrote poetry, philosophical reflections, and copies of newspaper articles that appealed to him. Letters which he wrote in these old-time "composition books" do not give the name of the addressee, and many of the letters are incomplete. However, we are publishing several of these in this volume.

Most important, from the standpoint of family history, is the autobiography that Judge Walker wrote, in the form of two letters to his daughter Mary (Mrs. J.D. Walker), in January and February 1865.

Besides Judge Walker's own letters, the current volume contains other material of historical value, including the genealogy of the Walkers as prepared by Judge Walker's granddaughter, Miss Sue Walker; reproductions of various commissions, letters, and other documents; the editorial obituary of Judge David Walker from the Arkansas Democrat; and other items pertaining to his illustrious career.

Our purpose in publishing this material is to preserve the information for future generations. And to make it available for students of history.

Many of the letters and documents which we have examined are old and are deteriorating rapidly. For example, the notes that Judge Walker wrote with pencil on tablet paper, covering his visit to Richmond during the War and his interview with President Jefferson Davis, are difficult to read and almost illegible in places. We have had expert assistance in deciphering these 36 pages of notes and we take pride in presenting the account.

If I may be permitted a personal observation, it is this -- David Walker is one of the most under-rated figures in Arkansas history. His influence on our state's development far transcends that of many of the politicians, soldiers, and others who are featured in Arkansas school histories.

David Walker was a public-spirited man. He came to Fayetteville in 1830 without money and with no acquaintance or influence. He accumulated a modest fortune, which made it possible for him to help Sophia Sawyer establish the famous Fayetteville Female Seminary and Robert Graham found the equally famous Arkansas College.

He was a leader of the Whig party in Arkansas, but in spite of the Whig label he was three times named to the state's Supreme Court by a predominately Democratic electorate. In his only race for national office (for Congress in 1844) he was defeated by the state's greatest vote-getter, his fellow-townsmen, Governor Archibald Yell.

When the war-clouds began to gather, David Walker gave all his efforts to keep Arkansas in the Union. He issued appeals to his fellow citizens, counseling moderation. He was elected to the convention of 1861, pledged to do everything possible to preserve the Union. He was elected chairman of that convention.

The story of the Secession Convention has been told by men who served in that body and by many later historians. When the final vote came, and seeing that secession was inevitable, Judge Walker reversed his position and pleaded for a unanimous vote so "that the world might know that Arkansas stands as a unit." Only one negative vote was cast -- that by Isaac Murphy of neighboring Madison County, a one-time Fayetteville school teacher. All four of Judge Walker's sons served in the Confederate army. He himself was commissioned a Colonel and served as Judge of the Military Court in south Arkansas. His commission is reproduced in this volume.

The War wiped out David Walker's personal fortune but it did not destroy the confidence his fellow-citizens had in him. He was again elected to the Supreme Court, in 1866. He was able to rebuild his shattered estate. He resumed his efforts to secure a railroad for northwest Arkansas, and in 1870 he made a journey to Boston in an effort to enlist Eastern capital in such a railroad. His report of this trip, given to a "Railroad Convention" in Fayetteville, appears in this book. In 1876 he was the official orator for the state of Arkansas at the Philadelphia Centennial. His address on this occasion was printed in pamphlet form and widely distributed. Its length prevents us from including it in this volume.

David Walker died September 30, 1879, as the result of injuries that he suffered when he was thrown from his buggy in a runaway at the Washington County Fair in Fayetteville.

Besides the letters of David Walker that appear in this volume - and in the Washington County Historical Society's earlier book, "The Walker Family Letters" -- there is extant quite a bit of miscellany pertaining to the distinguished jurist. For example, the family has three leather-bound books in which Judge Walker wrote the poems which he composed. These verses are dated from 1840 to 1865. The Washington County Historical Society plans to publish these in an early issue of its periodical, FLASHBACK.

Walker memorabilia has been so widely scattered that we have been unable to compile a satisfactory list. Some of the family heirlooms are now in the keeping of the Mt. Vernon Association and the University of Arkansas Museum. Others are in private collections. The family photographs also have been scattered among the descendants of Judge David Walker. The Washington County Historical Society has located some of these old pictures and plans to reproduce 50 of them in "The Walker Family Portraits", scheduled for early publication.

In gathering the material contained in "The Life and Letters of Judge David Walker", we have had the help of several interested persons. We are particularly indebted to the following for their assistance: Wythe Walker of New York City; Ted R. Worley and Margaret Smith Ross of the Arkansas History Commission; and Lynn Howard of the University of Arkansas Museum.

As for my own efforts, I have been more than repaid by the intimate acquaintance I have formed with Judge Walker. He was of the pioneer breed that conquered hardships and sorrows and cruel disappointments. He survived to gain fame and fortune for himself and a better life for his fellow-citizens.

It is quite an experience to re-live a man's life in his letters and other records. I was with David Walker, a 24-year-old newcomer, when he took the play away from the veteran lawyers in the courthouse at Van Buren. I was with him, when he went to Little Rock to help frame the state's first Constitution. I was on his side when he lost his race for Congress and when he was elected to the Supreme Court bench. I suffered with him during the agonizing days when he fought to preserve the Union and then made his decision for his State and disunion. And I was there, at old Tulip, as he watched his son die, from a Yankee bullet at Jenkins Ferry.

I learned to know his children and children's children. And more distant kin. David Walker was a father and grandfather in the old tradition. One of my most pleasant experiences was to walk with him down Main Street in pioneer Little Rock as he shopped for Christmas candies and toys for his youngsters at home in the Ozarks. (Letter No. 12 in "The Walker Family Letters".)

Another pleasant occasion was a visit to his farm home on the West Fork of White River. (Letter to C.C. Scott, June 14, 1857.) He was out there alone, running his farm. His family was at the Walker town house in Fayetteville. He sat in a rocker in front of the window. The well-read newspapers littered the floor. There were his three dogs. And in the corner, his three guns. He thought of his friend and colleague, Judge Scott of Camden, and wrote him a letter inviting him up for a visit -- to enjoy the good life with him.

Often, when deeply moved, Judge Walker would record his thoughts in meter and rhyme. He must have felt that his turning to verse required some explanation. So he wrote, in one of his notebooks:

"If I weary with the more important subjects that press upon me, I indulge in self-communing - perhaps give a poetic turn to my thoughts and string off impassioned or melancholy verses just as chance directs. These imperfect scraps have been composed at such hours and have been preserved with neither a wish nor an expectation that they will gain posterity."

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Here then is the LIFE and here are the LETTERS of Judge David Walker. Of their historical value, there can be no doubt. May they also serve as inspiration. And if neither history nor inspiration is desired, we recommend them for the sheer pleasure their reading will give.

W. J. Lemke, editor

Washington County Historical Society,
Fayetteville, Arkansas,
February 1957

DAVID WALKER'S AUTOBIOGRAPHY

written in the form of two letters to
his daughter Mary (Mrs. J. D. Walker).

Judge Walker wrote this personal history
in January and February, 1865, when he
was stationed in Washington, Hempstead
County, where he was serving as Judge
of the Military Court of the Confederate
Army, with the rank of Colonel.

AUTOBIOGRAPHY of JUDGE DAVID WALKER

(The following personal history of my grandfather David Walker (my mother's father) was written in a series of letters to my mother during the last year of the Civil War. The manuscript having become so torn and illegible in places, I thought best to copy it with other data in reference to our family, for the benefit of those who come after -- especially for the children of my brothers who will, I hope, some day feel an interest in knowing something of their ancestry, and especially of this dear grandfather who having many adversities to contend against in early life, owing to his father's financial reverses, made for himself both fortune and fame in the new state of his adoption, which was a veritable wilderness in many respects at that time -- 1830. Though poor in purse, he was possessed of a long line of illustrious ancestry, to whom he doubtless owed many of the traits of character which insured him success. -- Sue H. Walker. 1929)

JUDGE DAVID WALKER,
Supreme Court Justice,
also Judge of the Military Court
with rank of Colonel
in the War between the States

Washington, Ark., Jan. 22, 1865

My dear Mary:

In ancient times, if we credit history, the genealogy of the families of the rulers and great men, and even national history and poetry, were by tradition transmitted from father to son; and by this means perpetuated. Since the art of printing has been introduced, the necessity for this has ceased to exist so far as national history and a nation's great men are concerned. But as regards the history of humble private families, such as ours, nothing is known save that which is transmitted to us by our aged friends and relatives, and since the abolishment of hereditary titles and honors such as once prevailed in most civilized nations, even these have ceased to be considered of sufficient importance to engross much of our time or attention. Indeed, in a country like this, where every man has been the builder of his own fortune, and may aspire to the highest posts of honor, irrespective of birth, it would be to some not either an interesting or an agreeable task to look far back into their ancestral history, because in many instances they would find it but a single step from the humble mechanic to the opulent merchant prince, the poet, the orator, or the statesman. There is many a "Claude Melnotte" such as Bulwer describes in his "Lady of Lyons", who turns from the embrace of an honest humble mother, one who has spent a life in privation and toil to buy her son an education and elevate him above her humble walk in life. God grant that the struggle may ever like his, be a triumph of filial affection over pride!

With these preliminary remarks, as the oldest living male member of our family, either on the father's or the mother's side, I will from time to time at my leisure hours communicate to you such information as has by conversation or otherwise been transmitted to me.

My grandfather Walker's name was George; he was a native of England. (According to WM.F.Stannard of the Virginia Historical Society, George Walker was born in Brunswick County, Virginia. - S.H.W.) At what time he came to America I never learned. My Grandmother Walker's maiden name was Meade -- Molly Meade of an aristocratic family of England of great wealth. I know nothing of my grandfather's parents nor of the standing of his family, but from his independent circumstances, his marriage, and the wealth and learning of several of his cousins, suppose that he held a place in the middle class of society. His occupation at the breaking out of the Revolutionary War was that of a tobacco planter. He then resided in Brunswick County, Virginia; and was the owner of a good many slaves, several of whom came to my father by descent, and whom I remember to have seen. His children were named: Jacob, David, Courtnay, Andrew, George, John, Margaret, Hellen, and Wythe. The latter was my father who was born in 1778.

Soon after my father's birth my grandmother died, and soon after her death my grandfather died. My father was nursed in his infancy by his sister Courtnay, and cared for as if her own son until he was nearly grown. His education was under Chancellor Wythe, after whom he was named. It was the intention of Mr. Wythe to adopt him as his son (having no children of his own) and my father was on the way to Mr. Wythe's residence, when that distinguished good man died. Soon after this he moved to Kentucky with his brother David, who being the eldest son, under the English law of descent then in force in Virginia, became the sole heir to all the real estate of which my Grandfather died possessed; to the exclusion of his younger brothers and sisters, so that my father's estate consisted only of his distributive share of the negroes and other personal estate. He resided with his brother for a short time in the County of Jessamine.

When in his nineteenth year he married Nancy Hawkins, the daughter of John Hawkins of whose life I know nothing more than that he was of English descent. His son James, my grandfather, was a man of clear mind, and comprehensive and liberal sentiments, but of limited education. He was apprenticed to Anthony New to learn the trade of carriage making. About the time his apprenticeship expired, he married Lucy Wyatt, daughter of John Wyatt of Virginia, of English descent. I remember to have seen a painting on canvas or parchment called a "coat of arms". It has on it a hog's head (boar), a spear and some other devices, certifying that the Wyatts were of the English nobility. Perhaps some one of that family had distinguished himself in the chase -- had, in fact, killed a hog!

I think that my Grandfather Hawkins came to Kentucky about the year 1780. My mother was his oldest child, besides whom were Richard, Martin, James, Polly, Emily, Edward, and John. In the year 1800 my grandfather (Hawkins), father, and Uncle David moved to the Green River country, Logan County. My grandfather settled on a small stream, a tributary of Red River, called "Whippoorwill", where he resided until his death in 1806. My father located a new place west of the Elk Ford

of Red River, then Christian, now Todd County, and one mile south of Elkton, the county seat of Todd. On this place I was born Feb. 19, 1806. Prior to my birth, my mother had borne three children, two boys and a girl. One of them was named James; the other two died soon after their birth without having been named. In after life I visited this place; as the first home of my parents and my birthplace it was very dear to me and because, too, my unknown brothers and sister were buried there. I have been to their little graves in a field since cleared; two or three sassafras bushes had grown upon or near it, and the little white limestone rocks at head and foot of the graves stood the only sentinels to warn the plowman to lift his share above the dead. Memory ran back to the time when these graves were made. There was my father and mother; these their first-born children. I know my mother well -- she wept with all of woman's tenderness and weakness -- my father by her side, but no tear fell from his eyes. I do not remember ever to have seen a tear in his eye, but a deeper anguish. He must be firm then for my mother's sake. I fancied I could see them, and wept, like my mother had done, and vowed that when I got money enough I would enclose this sacred spot and place a monument to distinguish and identify it. But in the many new cares and accumulated duties that came after, I neglected to keep this vow. God forgive me, it is one of the many thousand of my shortcomings.

About the year 1808 my father moved to Logan County and settled a place he called Woodlawn, two miles west of my grandmother Hawkins' place. Here dates my earliest recollection. I remember my first ride on horseback. It was in the lap of my Uncle Martin Hawkins; I was between three and four years of age.

In 1811 an old eccentric bachelor, a doctor by the name of Thruston, became my first teacher. I was the smallest pupil in school, a favorite and pet. In less than a year I learned to read, had memorized a speech which I delivered at the close of the session standing on a table. I remember the presence of my father and mother and many relatives. I was not at all embarrassed, but "parrot like", rattled away, remembered every word, made every pause and gesture just as I had been instructed to do. At the close of my speech (which I never forgot, can repeat it now just as readily as then) I was caressed and received many presents. From this time I was pressed forward out of all reason. I was constantly reciting lessons either at school or at home. My memory then was remarkably retentive, so much so that I had memorized all the most important rules in the Latin Grammar, hearing them repeated by the Latin scholars. This was discovered by my teacher and he asked permission to put me in that study. If I remember truly, I was only about a week memorizing the principal rules and was near the close of my seventh year reading Canderie in Latin. He used to call me his little "Robin" and when he closed his school at the end of two years, he took leave of us, gave my father a deed to me of four hundred acres of land lying on Pond River. The land was poor and sold for a small sum. The gift was intended to be applied to my education; the old gentleman had no children, had never married. After this there was no regular school kept near us. John McLean, James Hawkins, Armstrong Bailey, and Fleming Gaines taught at intervals sessions of three and six months. During all this time I learned but little. Could mis-spend

more time and escape more whippings than any boy in school; was a bad spoiled boy well known as "Devil Dave". My greatest pleasure was to make traps and snares, and hunt rabbits with dogs. My sister Mary was my companion in these sports; went with me to bait our traps, and when successful, shared in my delight to see the struggling prisoners in their frantic efforts to be free. Without detracting from my other sisters, Mary was my favorite. We had our sports and childish amusements without an unkind word or thought between us.

In the meantime the circumstances of my father were undergoing a material change. He was an indulgent master and poor farmer. Grain was worth but little. Tobacco, the staple of the country, was valueless on account of the blockade incident to the War of 1812. He had security debts to pay; had been careless and misspent both time and money. I can well remember a set of men who were called gentlemen -- were educated and of respectable families -- who rode over the country seeking pleasure, dancing here and dining there, hunting and playing cards. Of this class were Whiting Drew, Beverly Washington, Ben Roberts and a Mr. Pollard, a beau of your aunt Lucy Smith. These men came to my father's once and played cards nearly all night. My father played with them and lost. He was no card player; they were experts at playing. On the next morning, as these gentlemen came in to breakfast, my mother who knew of the playing and the result, said to Drew, "You were successful, Mr. Drew, last night. You now own our one-eyed horse." "Yes, madam", he replied, "and Two Eyes too." Not another word was said about playing. My mother busied herself pouring out coffee. I looked at my parents but heard no contradiction, no reply. Now "Two Eyes", as he called it, was the colt of old Benny, the gentle old mare I was allowed to ride. The colt was my pet and claimed by me. I could not stand this suspense, burst into tears and left the room. I could not possibly have grieved my father more. I do not remember that these men ever came back again, but I do not remember that my father ever played cards upon any other occasion -- indeed, I feel confident that he never did. This event made a lasting impression upon my mind and from that early day of my childhood dates my dislike to card playing and card players. Nor have I ever taken into my list of friends and associates any man who did for gain. Nor has a game of cards ever been played in my house so far as I know.

It was while living at Woodlawn, I think in the year 1816, that I first remember to have seen your Grandmother Washington. She was then in affluent circumstances; came to see us in a fine coach, and brought with her your Uncle Charles, then a boy about my own size and age. I remember well his appearance as he was led out in the yard to play with me. He wore a fine suit of cloth, morocco boots, and ruffled collared shirt -- and his smooth white hands and face strangely contrasted with my attire and trim; I was bare-headed and bare-footed. There stood "Devil Dave" who out of pure wantonness was half tempted to tear the clothes off his trim guest. However, my better genius came to his aid, and I invited him to swing, and got him into it. Off he went, higher and higher, and yet more high, until either from timidity and weakness or hard jerks he tumbled out, head foremost. His nose struck the ground and bled freely. He squalled out and was taken in the house to be washed and kissed and petted. I called the dogs and went hunting!

In 1816 my father obtained license to practice law and in January 1817 sold off his stock, some of his negroes and his land and moved to Scottsville, Allen County. Here I went to school for about six months to Nathan T. Cosby. In 1818 I was sent to Logan County to go from my grandmother Hawkins to school to my old teacher Fleming Gaines.

This year I made some improvement in studies at school and read "The Children of the Abbey", "Robinson Crusoe" and "Telemachus". That fall when my father came for me to return home, I repeated for him "Telemachus" with great clearness, and expressed some opinions about it which greatly pleased him. The next winter, 1819, he was made a Director for the Kentucky stockholders in the Bank of Edwardsville, Illinois, and moved his family within two miles of that place. I was then in my thirteenth year, and though a hardy adventurous boy, had never done a day's work. My mother had never learned the more laborious duties of cooking, washing and milking the cows; all this was new to her. We had neither servants nor hired help. Uncle Richard Hawkins, a brother of my mother and pretty much such a man as your Uncle White, not quite so much strength. We all occupied a cabin of ordinary size; had three horses, two cows, and a dog -- the dog was mine, of course. It is almost incredible to tell the amount of work I did. I milked the cows, got wood to cook with. Mary brought the water; my mother cooked. On Fridays I staid at home to help wash the clothes. Besides this I went to mill and worked in the field two miles off in the prairie -- not a shade tree -- not a drop of water save what I could suck with a straw out of crawfish holes. In the flat prairie it was only a foot or two to water and the crawfish opened holes every night. Here Uncle and I staid all day and returned at night to repeat the labors of another day. We raised and gathered a tolerably good crop of corn. Winter came and I had to get wood, go to mill, and feed the cows and horses. Hard work enough in that cold open country. The next spring Uncle went back to Kentucky alone. My father had rheumatism in his arms and was unable to use them in hard work, so Mary and I put in a crop and tended it.

The Edwardsville bank failed in the meantime and my father was thrown out of employment. This year I engaged to help cut wheat at harvest time for a man named William Gilliam. No one was called a hand who could not take his "through a swath", so I was compelled to keep up with the stout experienced reapers and was several times so tired that I lay down on the road home and slept in my clothes wet with perspiration.

The next year with the assistance of Mary I cultivated twenty acres of corn. My father worked in the garden and raised a great abundance of vegetables. Early in the season I accompanied my father to Edwardsville. We took with us hogs and potatoes and baskets of other vegetables. We sold out our supply and bought sugar, coffee and domestic. On our way home he told me that we had no other means of getting clothes; said that he had come with me to show me that he was not ashamed of this humble calling, and that if willing I might market every week, or if I felt reluctant to do so he would do it himself. I most readily consented and during the summer sold vegetables enough to buy us good clothes, sugar and coffee. I confess that there were some occasions when I felt mortified at the treatment I received, but in after life I have reflected with much satisfaction upon this, my first

triumph over false pride. I studied arithmetic during the winter nights of this year. I also read "The Rambler", "The Spectator", and Shakespeare.

Near the close of the year my father moved to Howard County, Missouri, where I built a cabin, hewed the puncheons, and laid the floor, and made the chimney, then only in my sixteenth year. We made a crop on rented ground belonging to Dr. Sappington. That fall I worked for a Mr. Sutton, taking the pay in potatoes which I packed home on my back at night, a bushel of potatoes for a day's work. In the winter of 1824 we returned to Scottsville, Kentucky. My grandmother Hawkins gave my mother two negroes, Cupid and Louisa. This gift relieved me of much labor, still I worked on the farm that season and read at leisure times Hume's large edition of the history of England, much of which I now remember.

In 1825 I went to school to Uncle James Hawkins, who imparted knowledge with surpassing clearness and so interested his students in their studies that it was a great pleasure to receive instruction from him. I was then in my 18th year and had not been to school for about six years, and had forgotten most of the little I had learned. I shall never forget the day I entered the schoolroom to be examined and classed. Small children were my equals and I was classed with them. My distress and mortification was great. I submitted to this classification under an assurance that if industrious it would only be a week or two until I could enter higher classes. My more mature mind and earnest application soon brought me up, and I was permitted to enter several higher classes, in all of which I recited. That of English Grammar, the most interesting, called forth all my powers of memory and thought. In this class was also my sister Margaret, Miss Mary Martin, Andy Hammet and Tom Clayton. The two last named were older than myself. We were pretty well matched; Clayton and Margaret rather led the class. Not a moment was spent in recreation, not even on the way home. At night I went book in hand memorizing lessons for the next day. This school lasted for about eight months, and with its close also closed my school days. So you see I had learned but little, had few opportunities to learn. My father was poor, had six girls and two boys, both small, to support. I had not education for a profession; no property present or in expectance; in short I had nothing but a will, a strong determined will, to rise above every obstacle that thus formidably appeared to drive me to the mechanic shop or to day labor in the field.

I was at liberty to seek employment and elected to write in the clerk's office for my uncle David Walker, then distinguished from my father's brother of that name, as David Jr., a distant relative of my father and an uncle by marriage. This uncle was reserved in deportment, and of most attentive business habits. He had no children, and although very liberal in making presents to them, children were afraid of him, at least I was. When I went to the office I found my uncle writing. As I entered, he looked up and said "Take a seat, sir." Not another word passed for half an hour, all of which time he continued to write. He stopped, looked at me as if he were going to take my measure from head to foot, and then asked if I had come to write for him -- then, if I had a knife. I told him that I had not. He gave me money and told me to get one, a good one. When I returned he asked,

"Is your knife sharp?" I replied that I did not know, but if it was not I could sharpen it. He said, "See if it is sharp; if it is not, take it back. Do you suppose if the man who made it could not sharpen it that you can?" I felt of the edge and told him it cut well. He then told me to make a pen. I tried, and showed it to him. He split it all to pieces with his thumb nail and said, "That is no pen; try again" -- and I did try again and again until he said, "That will do." "Do you see that book? That is the fee book -- and remember that every dip of your pen is worth something. Be sure and charge for all your work; there is the list of fees on the wall for all services. By the custom of the office you as deputy are entitled to all the fees for strays and marriage licenses and for searches -- the balance are mine; remember to account for them." With these brief explicit instructions I was set to recording. My hand trembled and he saw I was dipping carelessly into the inkstand. He looked at me and said, "Be careful how you dip your pen or you will blot the book; and remember that every blot you make on the book is a stain upon my character as the keeper of these records."

I wrote in the office about a year, and made the acquaintance of most of the young men clerks in the stores and offices, all of whom dressed better than I did. I felt this the more keenly as I was nearly old enough to go into company. I had a great fancy for a watch, such as most of the young men wore, and one day asked my father for money to buy one with. I knew every expression of his countenance -- there was a language in it plain as if uttered. I saw that his first impulse was led to stern repulse, but before speaking a change came over his face and he said in much kindness, "My son, I regret that I am too poor to buy you a watch, but if you wish it, I will aid you as far as I can. You can have the use of my wagon and oxen and you can cut and haul wood enough to buy a watch." In a few days a lawyer named Davis came into the office with a good silver cased watch. I offered to buy and we agreed upon the terms -- that I should furnish him with wood the ensuing winter for the watch, I to take immediate possession of the watch. I bought several ribbons to which I affixed the seal and key, and with the addition to my wardrobe of handkerchiefs, gloves and stock, I felt myself so much improved in appearance that I fairly turned out with my young friends visiting, but mostly in the country, where town gentlemen were more highly appreciated than at home. Each Sunday had some appointment when we were to show off and play the man.

Fall soon came and I was notified that I must begin to deliver wood under my contract. This was my first trade upon my own account. I had done no manual labor for more than a year -- those with whom I associated none at all. My pride was to be wounded. I was to be lowered, degraded, by becoming an ordinary ox driver -- a wood chopper! Alas, how soon our associations and pretensions shape our conduct and fix for us a new standard. As I hauled the first load in, I thought that everyone was looking at me -- laughing at me. I held my head down, and thrashed the poor oxen soundly, until I reached the woodpile and began throwing the wood off, when my friend Edward H. Powell, a clerk in Mr. Samuel Moore's store, came out and helped me off with the wood. I felt grateful for this act of kindness. It seemed to divide the supposed odium of labor with me, and after that I fulfilled my contract without caring much for it -- indeed it gave me character as an honest boy who

would pay his debts. I wore that watch many years, and gave it to my son Wythe, and related to him how I had obtained it, and the value I attached to it on that account. Wythe was young and thoughtless, and as well as I remember, took it to pieces and it was destroyed.

Early in the next year my uncle bought for me from John Ragland the profits of office of Sheriff of half the county, I as deputy to perform the duties and retain the profits. In the performance of that trust I made many acquaintances, and money enough to buy me a horse. I then returned to the Clerk's office and read law when not engaged in the duties of the office. After nearly two years reading I obtained a license from Judges Brodnax and Monroe. When I returned home, I was treated with much respect by my uncle; his whole deportment appeared changed. He gave me much good advice, furnished me with forms and precedents for pleading and urged me to be attentive and prompt in the discharge of all business entrusted to my care.

At the outset, I had the advantage over most young lawyers on account of my familiar acquaintance with the details of the practice, learned in the clerk's office, and whilst acting as Sheriff. I had also a general acquaintance with the people, and with these helps got into a small practice, or rather, many small cases, with light pay. In politics I was a Whig, and as in this I differed from all the other lawyers of the place, my political friends were inclined to aid me. But I soon found that as I advanced, I was drawing that much practice from my father, and was on some occasions brought in contact with him. I therefore resolved to locate in some new country, and finally settled in Arkansas.

In the meantime I had mixed some in society and fairly taken my place as a man, with all its responsibilities. I had made some acquaintances, had some friends to whom I was greatly attached. Amongst the most valued was Mrs. Anderson, the sister of your Aunt Jane Hawkins. She was most beautiful and not less amiable, and had been my companion in many a pleasant stroll over the hills and along the deep shady valleys that were near the village. I wish it may be your fortune to meet her. She is now very infirm and nearly of my age. Her marriage to Mr. Anderson took place before I left Kentucky. She was once the most beautiful, as she is yet, the most fascinating woman in manner and conversation I have ever seen. You remember "My Cousin's Picture", written some years ago? It was to her picture I addressed myself.

I had also become acquainted with your mother, who, though less handsome than my cousin George Ann, had a much more quiet cheerful temper and integrity, which were not passed with indifference by any one. I, as well as many others, was not indifferent to her worth and charms. But I was poor, too poor to propose marriage to any one. I was very careful to act with such reserve as to leave no clue to my purpose or feelings. I was aware that she had several admirers, who were much in her company, but withal deemed it best to risk (the to me) most unfavorable results rather than to allude to events dependent upon so much uncertainty. Thus judgement triumphed over feeling in a triumph equal to any other of my life. I was moreover to leave my father and family for the first time, and to make a new home among strangers. But all this I ventured to do. I then had two horses, one

of which I sold for \$62.50, and sold the note to my uncle for \$40, which after paying off my small accounts and purchasing a new suit of clothes, was all the money I had. Messrs. Underwood, Graham, Grider, and Todd gave me very flattering letters of introduction, addressed to those with whom my lot might be cast, as well as letters to Mr. Robert Crittenden, Gov. John Pope and others.

On the 20th day of September 1830 I took leave of my mother and sisters. It was our first separation and a very affectionate and sad one. I then went out into the field where my father was burning some old logs. I knew he had gone off to avoid the pain of seeing me separate from my mother. When within a few steps of him, he turned and opened his arms to receive me. We embraced and parted -- not a word passed between us. Truly "the heart feels most when the lips move not."

I passed through Logan County and found your mother on a visit to Mr. Drew's family. It was Sunday morning, the 23rd of September. I reached Mr. Drew's early in the day, in time to wait on your mother to church. That evening we parted, sad enough on my part, not all so on hers.

I arrived at Little Rock on the 10th of October (1830), was examined by Judges Johnson and Cross, and pursued my journey up the Arkansas River and out to Fayetteville, then but recently located as the county seat of Washington County. The county had not then been surveyed. There were only six or eight families at Fayetteville. I had then but \$2.75 left, and although I was pleased with the country there seemed no prospect for business, and I felt inclined to travel on -- but was too nearly out of money for that, so I took boarding with a Mr. John McGarrah and endeavored to be hopeful and contented.

I find, my dear child, that I have as many sheets written as I can well send off in one envelope and will therefore enclose them to you. I have contented myself as a historian to deal in facts -- certainly not at all interesting to strangers, but probably of interest to my children. You will see through how many disadvantages I have struggled on up to the time I commenced life in my new home, and will perhaps find a solution for what you may not so well have understood, when I have so repeatedly urged you to engage in useful domestic pursuits and to use more economy.

You may even now be startled when I tell you that more money has been spent in your education (which was all right and as I wished) than in that of all your aunts -- that thus and in other indulgences you have not been taught to properly value money, nor that which is still more valuable, time. I have been much pleased to know that since our reverses of fortune, you have devoted yourself so faithfully to those dependent upon you. You will be none the less happy and far more deserving by so doing. The time is not far distant when the help of your children, you will be called upon to do all of your domestic work. Depend upon it, the labor institutions of the country are broken up, or will be in a very short time. Prepare for this change that it may not find you unpracticed and unprepared. This change for a time will affect your case, but never materially your happiness -- most certainly not your worth. You will receive all this, as it is meant,

in tender regard for you, a constant solicitude for your welfare. All that I have written, though addressed to you, is as much for Nannie and your brothers as yourself. God bless you all, my dear children.

The fight was going on near Camden yesterday -- eight miles beyond -- that is the skirmishing preparatory to general engagement. Ned's company is there and no doubt taking part. White is here -- I saw him today -- he went to the front yesterday and had just returned.

Love to you all,
David Walker

Washington, Ark., Feb. 10, 1865

My dear Mary:

My last letter brought my history up to my arrival at Fayetteville, about the 30th of October, 1830. I well remember that upon the next day after my arrival there was a house to be raised in the neighborhood. I was invited to go out and assist them, and did so. I was an expert ax-man and carried up a corner, was prompt and always ready for the next log. By evening I was upon quite good terms with the company, but careful not to join in the jokes and laughs that were passing. That night there was a dance at Tom Stevens' -- he then lived in a cabin near the spring in what is now our meadow. Mrs. Smithson was then a young lady, rather the belle of the neighborhood. She was the younger sister of Mrs. Stevens. I declined going to the dance -- excused myself upon the ground that I was just off a long journey -- but in truth I did not wish to go. I wished to be sociable, but not familiar. I do not remember ever to have attended one of these country frolics.

About two weeks after my arrival, I went to the Crawford County circuit court, had but little more than money enough to bear my expenses there. I was about to launch my little bark in strange and untried waters, to be borne along by the floodtide that leads to fortune, or flounder in shallows and quicksands all my life! I had no money, no business, no friends, no acquaintances -- nothing to tell who I was, or what I came for, save only one letter of introduction to Col. Martin, a resident lawyer of that place. Court was held in an open log house. The first case called was that of the widow Stone vs. John McLaughlin, involving a question of fraud in the settlement of the widow's late husband's estate. There were many witnesses to be examined, and much interest felt in the decision, by the respective parties and their friends, so that the house was full to overflowing, with spectators. I attempted to go in the house and witness the trial but the crowd was so dense that I could not pass unless someone gave way to me, which all refused to do. I was fairly elbowed back and pushed out. I walked about for a while until I felt desperate. I went back and pressed and pulled so resolutely that my rights were so far respected as to give me entrance. I went within the small circle around the Judge, the clerk, and the jury, and took my seat on a bench with the lawyers.

About that time a discussion arose as to the admissability of certain evidence. Parrot and Brown were for McLaughlin and Martin for the widow Stone. After the argument was closed and the Judge commenced

giving his opinion, Martin whispered to me and asked if I remembered the law on that point. I told him that I did, that he was right and if he should bring me Starkey on Evidence I would show him the law. It so happened that I was fresh from the reading of Starkey and remembered the page where it could be found. Martin asked the Judge to suspend his opinion until he could get the book, which the Judge consented to do, saying that his opinion was against him, but that he would wait and see if such law could be produced. Soon the Colonel returned with the book which he gave me.

I turned at once to the law in point, which was so clearly so that even the bystanders saw its application. The judge said that he was satisfied, and allowed Martin to introduce the evidence. Martin then proposed that I join him in the prosecution, as there were two lawyers against him. I consented and made a long and boisterous speech to the Jury, abused McLaughlin, denounced him as a swindler of the widow and the orphan, spoke of the law as if I knew it all, and as much nonsense as was perhaps ever spoken upon one occasion. We gained the case, court adjourned for that day. All the talk was the success of the widow Stone. The little strange lawyer came in for a share of the praise. He "had saved the case", had shown law to the judge and made him change his decision. That night Parrot, the best lawyer at that bar, but dissipated and unprincipled, ran off having sold notes belonging to several clients. Thus an opening was offered; some one must be employed in all his cases. By noon the next day I had taken notes for fees amounting to about three hundred dollars and received \$20 cash in hand. I was fairly on "the flood tide of fortune".

This chapter of accidents (for such they seemed to me) had in one day given me the reputation of a good lawyer, one who could inform the Judge! No one knew me, none could speak of my ignorance, all witnessed an instance of my superior knowledge, even to that of the Judge. Every one was employing me, thus giving credit to my attainments. It is difficult to conceive of a more trying situation than mine was - I was employed in many cases to be tried in quick succession, without time for preparation. How could I hope to maintain my newly made reputation under such circumstances -- and yet, if I failed, I might fall as far below my real merit in public estimation as I had been raised above it.

I was, however, flushed with success and thereby inspired with confidence. I determined never to speak hesitatingly, as if in doubt about the law, but "the law was thus and so" -- "I was surprised to hear it questioned" -- "If the gentlemen would examine the books they would see that I was right" -- "I esteemed it unfortunate for the profession as well as for due administration of the law that there were so few books in their libraries" -- gave the names of books which it is probable that they had never seen, certainly I had not! By this means I increased my reputation with the bystanders and suitors, and even with the lawyers, for they knew no more than I did. I did not fail, however, to detect a smile, an incredulous smile, on the face of the Judge, which seemed to say, "Young man, you are not deceiving everyone," particularly when I expressed regrets that the books were not in Court. I was sure they would refresh the memory of his honor. The bystanders and my clients never doubted that I could produce the law if the books were at hand. I had done so before when the decision

of the Court was against me, and charged it to the ignorance of the Judge. I got through the business of that court tolerably well, was most often successful, and left there with credit as the best lawyer at court. My reputation went home even before me, and when I got back, I was engaged on one side or other in all the important cases in Court.

I had to study hard to keep up my reputation and after a while, as my deficiencies in education became apparent and my extent of law reading known, I came down in public estimation, particularly by educated men of the country, to a fair position. With the more ignorant I was always overrated. After all, I stood confessedly at the head of the bar. I wrote home to my parents, gave them some account of my success, and inclosed to my mother ten of the twenty I had received in hand. I may as well here remark that the respect and love I bore my parents was very strong, and to acquit myself well in their estimation a first consideration. I knew that I was ever present in their memories. I could not, I dared not so act as to grieve them. My mother's love was unbounded; of all her children I was first in her affections. She loved all, but in advanced life never questioned my judgement.

During the summer of 1831 A.G.W.Davis, the circuit attorney for our circuit, resigned and Governor Pope appointed me to fill the vacancy. It was only about six months until the next regular election and I declined to accept the special appointment and declared myself a candidate before the people. This deference to the popular will was of decided service to me. It was an appeal directly to the people, and a rejection of office at the hands of others. Gen.Sneed and Wm.B.Harness were my competitors. I was elected Jan.1, 1832, and entered upon the duties of the office.

I had in the meantime built me an office, fenced it in, and had wild flowers, strawberries and grapes, all cultivated, but of native growth. The spring session of the courts passed off profitably. I was well supplied with money, felt secure in the future, and turned my thoughts to Kentucky, my family and your mother, with whom I had not corresponded, but had learned through others that she was still single. In the summer of 1832 I returned to Kentucky, riding the same horse, bridle and saddle, and clothes all just as I had left, though a little worn. This care and strict economy was highly gratifying to my family and friends, and at once classed me above the many thoughtless spendthrifts of my age.

At the close of my visit about two months, I had made an engagement of marriage with your mother, to be consummated the next winter, at which time, Jan. 31, 1833, I was married, and soon after returned to Arkansas, your Aunt Mary with us. I built a cabin on the very spot the northwest room of our town house now covers. I made our table out of an old flat hat box with legs put to it; our bedstead was fastened to the wall; two chairs and a trunk were our seats. I hired a girl to help your mother, got a supply of provisions and went off to Court to be gone all spring. They two, left alone among strangers. It is unnecessary to allude more particularly to our situation. You can readily see how humble our beginning in life was. By degrees, and as my means would justify, I improved our condition. I bought a negro girl and had only had her a short time until I went security for one Samuel

D. Lowell who was in prison for debt. Lowell ran off, and I had the debt to pay, \$700. This girl was all the property I had and I had to sell her to pay the debt. We hired a woman for a few months and then bought another negro woman.

In 1834 I was re-elected circuit attorney over Lewis B. Tully, my opponent. Politics were high and I, a Whig, on the weak side. But I overcame all opposition, even three and four to one. In 1835 I was elected to the legislature. That fall your grandfather moved to Fayetteville. In January 1836 I was elected to the State Convention.

In February of that year your Grandmother Washington came out, moved by water. Both families were dependent on me for a home for a while and a start in fixing for housekeeping. These expenses though small were considerable for one just starting out in life, and kept us in very humble circumstances for a time. Indeed there was never a time after that when I was free from incumbrance. The means thus spent, if applied at that early day in the purchase of lands, would have secured me a very large fortune. But this I never regretted and now remember with great satisfaction that I had it in my power to be of assistance to those so near to me. Nor were my efforts limited to my relations.

As early as the year 1834 I commenced selecting promising boys, to advance and improve their educations. Birin and Wythe Adams, sons of John Adams of Izard County, Charles G. Baylor, Combs Trimble, Bruce Polk and David Ham were of the number. Wm. T. Denton, Isaac Strain, Hiram Davis, Charles G. Brylor, George Gray, Peter VanHoose and James D. Walker read law with me, from none of whom would I receive compensation for either board, books or instruction. I have alluded to this for no wish to make a show of liberality. Like most persons, I receive my reward in some way; with me, the pleasure of the act is the only reward I desired. I was sure of this, and have not, as regarded myself, anything to regret. Some have done well, at which I rejoiced. Those who have not are not accountable to me for their conduct.

Returning to the narration of events, the most important was the election of your Grandfather (my father) as President of the Branch of the State Bank at Fayetteville. The election took place in the fall of 1836. In the winter of that year your Aunt Mary was married to Mr. Benjamin Moore, a gentleman of quiet reserved manners, of good mind, temperate habits and of estimable character. My father entered upon the duties of his office for which he received \$1,200 per annum, asum sufficient in those days to support his family. When in the month of December 1838 he died, leaving your grandmother and aunts to my care, a trust which I endeavored to fulfill.

During the earlier part of that year your Aunt Margaret married (Mr. Pope, a lawyer of ability) and in the next year your Aunt Emily married Mr. Wheeler, a lawyer also. Later in the same year your Aunt Courtney married Mr. Duncan, so that a family at first large was reduced to your grandmother, Aunt Lucy, Aunt Helen and your uncles John and Martin, the first of whom soon came home to read law with me. The other I sent to school at Princeton, Kentucky. In the meantime, I believe in the spring of 1837, your Aunt Lucy Washington was married to Mr. Leeper, and your Grandmother Washington that year commenced housekeeping here.

In 1836 I was appointed elector for Hugh L. White who ran against Martin VanBuren for President. With this exception after the formation of the state government up to 1840 I took no part in politics. But my practice had increased so much, so wide was my range of business, that I was seldom at home for a longer time than a week or two at a time. I wish I could convey to you some just conception of the care and responsibility at this time that rested upon your mother. It was out of my power even to attend to the accruing wants of my own family, much less to those of both your grandmothers, and many incidental calls from others. With three, and before 1840 four children to care for, she administered to the wants of all, and took principal charge also of my own affairs, kept the house always in perfect order, I never saw a littered floor or hearth or disordered furniture, or accumulated ashes. The hearth was regularly scoured, the andirons cleaned, all was in order. We always had plenty, and as for clothes, she kept mine in such order that I drew on her for them when needed and really never knew what my supply of small clothes was.

She was in size and form much like Nannie and in some respects in disposition but in others very different too. She had been much in company, much more than your Aunt Lucy Leeper; was easy in her manners, quiet and social in disposition, entertained company without an effort, and at the same time neglected no duty. She spent little time visiting. If she went from home it was with work in hand, and at the close of the visit, could not count it as time lost. But I despair of giving you any just description of her. Her chief reliance was upon Wythe. He was the oldest and best suited to assume responsibility. White, all in all, was her favorite. She often sang and White used to sit at her feet and listen. He knew many songs before he could speak plain, and as soon as he could talk began singing with her. His first song, like Vol's first speech, was not to be forgotten. It commenced "Oh my love is like the red, red rose, that's newly sprung in June; my love is like a melody that's sweetly played in tune." He was never any trouble to her, and fully as timid as your Vol. So you may take comfort about Vol. If he is ever as brave as White, he will do well. As for you, her first girl, I must say that she thought you beautiful and was going to make quite a lady of you. But as you grew older you were self-willed and gave her more trouble than both the boys (Wythe and White) ---

(N.B.: Here the manuscript ends abruptly. My mother, to whom these letters were written, said it was complete up to the beginning of the war, but the last pages were somehow lost. -- . S.H.W.)

Commissions, Licenses,
and Other Documents
from the
David Walker Collection

The originals of these documents are in the keeping
of Mr. J. Wythe Walker of New York City
who is a great-grandson of Judge David Walker

Licenses and Commissions

(April 24, 1829 - License to practice law in Kentucky)

David Walker Esqr, having produced to us a Certificate from the County Court of Allen that He is a Gentleman of honesty, probity, and good demeanor and we having examined him touching his fitness and qualifications to practice law, do hereby license and permit him to practice as Counsellor and Attorney at Law in the Superior and Inferior Courts of this Commonwealth. Given under our hands as two of the Judges of the Circuit Courts of this Commonwealth of Kentucky this 24th day of April 1829.

Henry P. Brodnax (Seal)
Ben Monroe (Seal)

(Sept. 20, 1830 - Recommendation from Kentucky bar)

We, attorneys at law, of the Bowling Green bar, state that we have for several years past been acquainted with David Walker esq. and have practiced law with him in this Circuit, and take pleasure in bearing testimony to his integrity as a man, and his respectable standing as a lawyer. September 20th, 1830.

Asher W. Graham
J. T. Morehead
Jno. F. Todd
H. Grider
P. C. Morehead
Geo. Work

(Oct. 15, 1830 - License to practice law in Arkansas)

David Walker Esqr having produced to us a license to practice law signed by Henry P. Brodnax and Banj. Monroe, two of the Circuit Court Judges of the State of Kentucky; and we having examined him touching his fitness and ability to practice law, find him duly qualified. These are therefore to license and permit the said David Walker to practice law in the Superiour and Inferior courts of this Territory. Witness our hands and seals this 15th of Oct. 1830 as Judges of the Superiour Court for the Territory aforesaid.

Benj. Johnson (Seal)
Edward Cross (Seal)

Arkansas viz

This day personally appeared before me, one of the Judges of the Superiour Court for the Territory aforesaid, the above named David Walker and took the several oaths of office as an attorney and counsellor at Law. Witness my hand this 15th of Oct. 1830.

Benj. Johnson Judge

(---- 7, 1832 - Oath as Prosecuting Attorney)

Personally appeared before me, Thomas P. Eskridge, one of the Judges of the Superior Court for said Territory, the within David Walker and ----- the several oaths prescribed by law, as prosecuting attorney for the third judicial Circuit in said Territory. Given from ----- hand this 7th day of -----, 1832.

Tho. P. Eskridge

(Feb. 15, 1832 - Commission as Prosecuting Attorney)

(Certificate)

JOHN POPE

Governor of the Territory of Arkansas

to David Walker Esqr., Greeting:

(Commission as Prosecuting Attorney for 3rd Judicial District.)

(Signed) John Pope

(Nov. 12, 1833 - Oath as Prosecuting Attorney)

United States of America

Territory of Arkansas

This day personally appeared before me, Thomas P. Eskridge, a Judge of the United State Superior Court for said territory, the within David Walker, and took the several oaths prescribed by law as prosecuting attorney for the 3d judicial district in said territory. Give under my hand this 12th day of November 1833.

Thos. P. Eskridge

(----- 17, 1834 - Commission as Prosecuting Attorney)

(Certificate)

William S. Fulton

Secretary and Acting Governor of the Territory of Arkansas

to David Walker Greeting:

Whereas you have been elected Prosecuting Attorney for the 3d Judicial District in and for the Territory of Arkansas, I do by virtue of the power and authority in me vested hereby commission you Prosecuting Attorney, etc.

17th Day of -----, 1834

Wm. S. Fulton

(Dec. 20, 1848 - Commission as Judge of Supreme Court)

The

State of Arkansas

Know ye, that whereas the General Assembly of the State of Arkansas, did, on the 28th day of November, elect David Walker a Judge of the Supreme Court of the State of Arkansas,

Now, therefore, I, Thomas S. Drew, Governor of the State of Arkansas, do hereby commission him (etc.)

Signed at Little Rock, Dec. 20, 1848,

By the Governor:

Thos. S. Drew

D. B. Greer, Secretary of State

NOTE

Walker Land Patents

A list of the David Walker land patents was published by the Washington County Historical Society in October 1955 FLASHBACK (Vol. V No. 5, page 19-20).

(May 1, 1863 - Appointment as Colonel of Cavalry CSA)

Confederate States of America
WAR DEPARTMENT

Richmond, May 1st, 1863

Sir:

You are hereby informed that the President has appointed you
Colonel of Cavalry
under Act approved Oct. 9, 1862
in the Provisional Army in the Service of the Confederate States: to
rank as such from the 17th day of March, 1863.

Immediately on receipt hereof, please to communicate to this Department, through the Adjutant and Inspector General's Office, your acceptance or non-acceptance of said appointment; and with your letter of acceptance, return to the Adjutant and Inspector General the OATH, herewith enclosed, properly filled up, subscribed and attested, reporting at the same time your age, residence, when appointed, and the state in which you were born.

Should you accept, you are assigned as member of Military Court, Lt.Genl. Holmes Corps.

James A. -----
Secretary of War

Col. David Walker
Military Court PACS

(Oct. 15, 1866 - Commission as Judge of Supreme Court)

COMMISSION

Know ye, That whereas, it appears that David Walker was duly elected Judge of the Supreme Court, in and for the State of Arkansas, at a special election held in said State, on the First Monday in August A.D. 1866, vice F.D.W. Yonley, Chief Justice resigned,

Therefore, I, Isaac Murphy, Governor of the State of Arkansas, by virtue of the authority in me vested by the Constitution and Laws of said State, do hereby commission him, the said David Walker, Judge of the Supreme Court.

Etc.

Signed at Little Rock,
15th day of October 1866

By the Governor:
Robert J. G. White,
Secretary of State

Isaac Murphy

(Endorsed on back:)

(Oath to support Constitution and "never in any manner concerned in any duel." Signed, D. Walker

Sworn to this 25th day of Oct. A.D. 1866,

Elias Harrell,
Judge of the Circuit Court

NOTE

On next page are three documents found among the David Walker papers, one of which is the license of his father (Jacob Wythe Walker) to practice law in Arkansas. The other two documents pertain to Judge David Walker's son-in-law, J. D. Walker - one a license to practice law, the other an Internal Revenue License to practice law, issued after the war.

(Dec. 19, 1835 - Jacob Wythe Walker - License to practice law)

Territory of Arkansas

Jacob W. Walker, having produced to me his License to practice Law, signed by Christopher Tompkins and Wm. Wallace, bearing date the Tenth day of June 1814, they then being Circuit Court Judges of the State of Kentucky: and having examined said Walker touching his capacity and fitness for the business and profession as an Attorney at Law, have found him duly qualified. These are therefore to license and permit said Walker to practice Law in the Superior and Inferior Courts of this Territory.

Witness my hand and seal this 19th day of Decr. 1835, as Judge of the Superior Court for the Territory aforesaid.

A. Yell

One of the Judges of the
Superior Court of A.T.

This day personally appeared before me, a Judge of the Superior Court of the Territory aforesaid, the above named Jacob W. Walker and took the several Oaths of Office as an attorney and Counsellor at Law. Witness my hand this 19th day of Decr. 1835.

A. Yell

Judge of the Superior Court

(Dec. 31, 1855 - James D. Walker - License to practice law)

State of Arkansas

On this day James D. Walker made application to the undersigned, one of the Judges of the Supreme Court of the State of Arkansas, for a license to practice law, and having produced satisfactory evidence of his good moral character, after due examination I find him well qualified, and do hereby license him to practice as an Attorney at Law in the Supreme and Inferior Courts of this State.

Given under my hand at Fayetteville, Ark., on the 31st of December A.D. 1855.

David Walker, Judge
S.C., State of Arks.

(July 26, 1866 - James D. Walker - Federal license to practice)

By Authority of the United States
INTERNAL REVENUE LICENSE

This License is granted to James D. Walker, of the Town of Fayetteville in the County of Washington and State of Arkansas, to carry on the business or occupation of Lawyer, in the aforementioned place, he having paid the tax of Ten Dollars (Etc.).

License to be in force until 1st day of May 1867.

Little Rock, 26 day of July 1866
William J. Patton,
Collector

NOTE

A biography of Judge David Walker, written by his friend, Hon. Hiram Davis of Fayetteville, appeared in the August 1955 issue of FLASHBACK (Vol.V, No.4, p. 21), published by the Washington County Historical Society.

(Judge Walker to Judge Scott)

March 20th

Dear Judge

This gloomy Sabbath evening I will indulge in writing you a line. I received your kind letters, and my son who arrived at home, well, told me that he met you on your way home. My home affairs were in great confusion and I have been trying to right them up before I return.

I sold my steers that were fit for the market last week, 27 head for \$472.50. Cattle is in great demand and I am nursing my young stock through the winter. I will try and meet at the appointed time.

We have letters here that Rector, Wilson and Blakemore of this county have all received offices, every man on the family side of the democracy. This is just as I expected.

I saw Cline and he would most willingly have kept out of the paper contest between the Whig and Gasquett & Ganner, but it seems that he had a conversation with Butler last winter and when called upon felt bound to state with regard to it. This I believe he has done, but as I learn with a hope that the Editor may not find it necessary to use it, and I am sure that there is no necessity for it, but I think between you and I, that Pike and Butler and perhaps Trapnall are more than willing to give "aid and comfort" to the family wing.

I think with the same exertions on the part of the Whig, it might be made to appear that a proposition was made by Johnson and Sebastian's friends, to the friends of Mr. Pike that if they would aid in electing Sebastian, that (they) Sebastian and Johnson's friends would stand pledged at the senatorial election to bear Burland with Pike.

I know nothing of this personally but such is the rumor and I believe it true. This is however, a matter between us, for I am resolved to have nothing to do with miserable political intrigues, and only refer to it to show you how those who throw stones live in glass houses.

A line inclosing a note to my daughter from Miss Fannie, was received. She is on a visit to her relatives and friends at Van Buren and Fort Smith. The note will be forwarded and I am sure she will be pleased and flattered by its receipt.

This is a very backward spring. Even the peach trees are not yet in bloom, and I have yet time to plant shrubs, and set out trees. Are you fond of such employment? I really feel as of the flowers that I plant and lend ----- by some undefinable tie connected to me, and I often stop to examine the buds and count the time with some impatience when I may be permitted to greet them in bloom.

My son Wythe was very much gratified with the kind attentions shown him by your sons and Mrs. S. It seems to have been the only sunshine along his unpleasant journey, and he recurs to it with grateful remembrance.

Fare well till we meet in April, and then, with good health, great industry, and plain cases, we may hope to stay no very great while.

Your D. Walker

Hon. C. C. Scott,
Camden, Ark.

(Judge Walker to Judge Scott)

Fayetteville
16th July

Dear Judge

I have for some time intended to write, at least in time to let the letter reach you on your arrival at the Rock.

I thank you for the attention given to my money matter. It is all well adjusted, and I will check for it at the Rock. Indeed I have written to Mr. McGuire of Batesville with whom I have a business matter and given an order to that effect.

Thus far I have kept my political position, and declined urgent invitations to address the people in this and most of the counties on this side of the mountain. I am unfortunately situated. I differ with the Americans upon some points and am entirely opposed to the manner of organization. In fine, I never will join them, and yet I have confidence in Filmore. He is a good Whig and a sound Union man. I must support him. Col. Burrow has been up and the effect of his speech was to draw off some half dozen Whigs who had concluded to vote for Buchanan, and these were our most prominent men too. He at the same time, by his low abuse, and charge of abolitionism upon the American party South, drew off several Democrats, whose number I do not know. I heard two or three after the speaking openly declare against the Buchanan ticket. On the other hand, he warmed up and pleased a large portion of his political friends, such however, as were ----- . Since then my friends have induced me to accept an invitation to address them, which I have done. Excerpted as you will see from the press (Independent) and you will see shadowed forth in my letter of acceptance the ground that I occupy. I feel for all the world that I shall when I get through, draw down upon me a fire in the rear and in the front. We owe something to those who have ever been our friends but I distrust the propriety of the step on my part. I am now at peace with all parties, a "noble independent old line Whig" and such I prefer to remain until the Union question comes up, and then I am in for the Union, and judge it will come in our day.

But the wheat thresher comes today to get out my wheat (which by the way is very fine) and I must go and see to it. Fine crops, a pleasant season, good health, and until Burrow came good feeling and quiet, for up to his coming there was no feeling gotten up. There is no opposition ticket here, and indeed but little change in old party strength.

A pleasant season for court, that is, a cool south wind, short briefs, pointed and clear, with a reference to the books that settle questions, and speedy return home to the bosom of your family.

Respects to Brother Judges and to Mr. Barber. And believe me as ever

Your friend, D. Walker

(Judge Walker to Judge Scott)

Sunday evening

Dear Judge

I have time to write you a few lines this evening, the first leisure I have had. Court adjourned at five last evening. We have disposed of about 15 cases, most of them raising no question of doubt, some two or three old cases amongst which the old Samuels case, Judge Ringo's pet case. I affirmed our first decision with a new ray of light on the subject, and am much better pleased with the second than the first opinion. I flatter myself he will at least in one respect be satisfied and consoled with the reflection that he has contributed his mite to preserve the law in its purity, and I must do him the justice to say that he did shed light upon it, which preserved the law but not the case.

There was a motion to reconsider, in the M--- & Stark case, on a single point, very mild and respectful in its terms. The point was well fortified by the law. It was whether upon finding the proof of the exhibit insufficient to sustain the claim of B---, under the Ringo claim, for half the property, we should not have sent the case back for proof on that point, and relied on the rule in the Woodruff and Cutten cases. The difference was very plain to my mind, if the paper offered to be proven had been an exhibit, the principle would have applied, but it was not, it was a note for the first time drawn from the pocket of the defendant. No proof could have been introduced under the pleadings even if sent back, and then the other ground, that the record of the bond without a list of Thoms debts was no notice was equally fatal. -- adhered to your decision, in the case where Trapnall petitioned for a reconsideration.

The last case which I decided was a hard one for me. It was a murder case in the first degree. Judge Johnson had had the papers and brought them to me, declining to decide from precedential motives. You were not here to put it off on, so I had to take them. It was a naked case of weight of evidence to sustain the verdict save some preliminary matters in a statement which was not carried upon the record nor presented in the court below. I, who never saw a man whipped or hung, have affirmed a death warrant. I did not know how I should feel, but I thought it ----- the law, and to that alone I could look.

I begin to feel like getting home in good earnest and if I should not be here on the first days of court, do not be surprised. My own negroes, and others in my charge, are to be hired on the first of January.

I have packed everything up, boxed up the Book belonging to the Secretary's office, and marked on the top, delivered over the papers to Mr. Barber. Put up flutes, whistles, balls, knives, dolls, candy, clothing &c &c for my children, all amounting to the astonishing bill of \$76.55. I was thunder struck. I did not suppose I had bought \$40, rarely asked the price, but bought to please my little ones. Well, I shall have one night of joyous laughs and happy smiles, which will pay me well, dear ones, they have no one else to look to, and to make them useful and happy is the great purpose of life with me.

What of the hunt, the conference, &c. Did a sermon, or a chase, the old hundred, or the bugle notes of the ---toned buck hound, prevail.

I have not a word of news, not even an inkling in regard to the political intrigues of the day. God's potent curses will rest, I fear, on most who engage in them. Then things called honesty, truth, honor, &c, are strangely metamorphosed in these degenerate times. A man will hazard his life if even an insinuation is made against his veracity, and yet he may lie with impunity, under his ---- for value received. So to be charged with want of love of country and its principles is insufferable, and yet there is a host of these men who would damn themselves and sell their country for office.

But enough of this. I send you Rev. Mr. Green's sermon, or at least my version of it. I showed it to him. You concur with him, you dispute the point with me. Mrs. Scott must make a better Methodist of you, or I will have you turned out of our church. This holding the hare and running with the hounds won't do. Green understands you as Methodist on that point and it is not fair that you should take such advantage of me. He was up to see me yesterday.

I have easily out-----ed you at tact. Instead of a meretoy, I got a lake scene, an engraving from Brown, that money would not buy. It came through Right Rev. Bishop Andrew Byrne X Bishop of Little Rock, Ark. It has his name on it and shows that it was presented to him by the Author.

Respects to Mrs. Scott.

Truly &c,
D. Walker

(Judge Walker to Judge Scott)

Fayetteville 10th July '56

Dear Judge

To one who did not know how neglectful I am (as you do), I might despair of forgiveness for my long silence and neglect to respond to your kind letter. Strange as it may appear, I declare to you that I have not found a leisure day this year, no not even Sunday. The weather has been extremely cold and most of the time the ground covered with a snow from 12 to 20 inches deep. My personal attention has been required every day and until a late hour at my farm to keep my stock alive, and with all I have lost about 40 head of pigs and young hogs. Tired at night, with my face flushed from the cold and exposure to our sweeping north winds. After a hearty supper I go to sleep in 20 minutes, and such a sleep it is, the incumbent of the wool sack might envy me. No briefs, no books, no voluminous records to dream over. I am happy indeed to be once more at ease and free. Let those who will, toil for the honors.

You will know that my predilections were at the outset rather against Judge English, not personally, for my acquaintance with him was quite limited, but owing to his associations and intimacy with Bourland, for whom I have never had much respect. But my acquaintance with him on the bench removed to a great extent all unfavorable impressions, and I am sure that had I continued on the bench in office I should have found him not only an efficient co-laborer but an agreeable associate.

With Judge Hanley it is different. He is a Kentuckian, and I was prepared to like him from the outset. I am well satisfied with the appointment and doubt not that you will find him an agreeable associate and a useful member of the Court.

I fully intended to write to him as well as to Judge English, and think I will do so in a day or two if my health does not improve for I am now rather confined to my room, not in bed but too unwell to be out. Please give my respects to both of them, and I depend on you to make my apology acceptable to them for seeming neglect.

My children are well. My oldest son has set up for himself. The chief clerk in the House of Sutton (that failed) and himself have formed a partnership and will go this spring into harness as retailers of goods &c with an actual cash capital of \$6,000. Thus provided for, he is launched on the tide of human pursuits, and lessens my immediate cares to that extent.

You will see my name announced as a lawyer in connexion with my young kinsman. It is principally to aid him, but I must tell you that I have been engaged in two or three old land cases, the fees whereof will nearly pay a year's salary when I get them. There lies the difference. The pay is not at all times to be checked for. A small amount from this source and the proceeds of my farm will I hope keep me afloat (as the boatmen say).

I am still nowhere in politics and thus far have withstood all importunities to participate in the discussions now going on between the Americans and the Democrats. I very cheerfully endorse the Presidents message upon the Nebraska and Kansas question. The principle is right, and I shall certainly support it and I am not sure that I would not support Richardson for Speaker. But Judge, I tell you what I think is true. All the northern men, Douglass, Cass, the President and all support it believing it a safe free soil measure. That is, that they will lose nothing and may gain by breaking down the Missouri Compromise.

My own opinion is, that the Kansas bill is right in principle but it was at the same time impolitic in the South to disturb the Missouri Compromise. We of the South in the end will gain nothing and may lose much.

With all due deference to you and your word, I don't believe that Mrs. Scott ever said "That since I had left the Bench she had no inducement to visit the Rock." Yet in the kind spirit that it was uttered, I receive it most gratefully, and beg to assure her that she shall one day see me without the fatigue of so long a ride.

Truly &c,
D. Walker

(Judge Walker to Judge Scott)

June 14th 1857

Dear Judge

I am at a loss whether to begin by scolding you for not having written or to apologize for not having done so myself, and will therefore consider "honors even" and lead off by giving you some account of myself, and asking in return some sketch of passing events with you and yours since we parted.

You are aware that for several years I had been opening a farm and desired to withdraw from all public employment or active business pursuits. For a time I lent my name to my relative, to aid him in getting into more general practice, but with no intention of resuming the practice of law for a living. I have received a few large fees perhaps equal to my salary as judge, and have been to one or two of the adjoining counties when specially employed but this will soon pass off. I have avoided politics, not as fully as I could have wished, but with the exception of about 2 weeks when Burrow made his visit up here as Elector. His speeches were so gross and disrespectful, particularly to the old Whigs, that at the solicitation of my friends I was induced to address the citizens in this and several other counties. Letters of invitation came pouring in upon me, and if I had yielded to the urgent requests of many old friends, and some with whom I had never acted, I might have given myself up to politics. With all, I was awkwardly situated; a strong supporter of Mr. Filmore and bitterly opposed to Buchanan, I yet was not a "know-nothing" and could not, and did not vindicate the organization. The principles (many of them) advocated by the K.N., were unexceptionable (?). That is all over, and terminated as I expected, and I am left to pursue the even tenor of my way farming. My daughter Mary married last fall, and has taken my town house, where my younger children still find a home and go to school.

My negroes have for some years been upon the farm, except two kept for house work in Town. I have brought out an old family servant, my Mother's cook, to take care of my wardrobe and cook for me, have a small room fitted up with bed, table &c, which I occupy. My horse is caught every morning and hitched, ready for a ride over the farm, and where the hands are at work. By 11 o'clock I am in, reading and resting for evening, when I repeat my ride, or take a drive with some friends who are fond of hunting. I have good dogs and deer are plenty. I wish very much that you could come up and see my situation and take chase with me. Let me invite you into my room.

You will find two beds, one just between the window and door -- what a fine draft of air for to rest at noon. There are a few of the last papers that have fallen near the bed, and a pile of them in one corner of the room. And there are three guns sitting in the corner next the door. I'll give you choice of them. That long barreled old-fashioned piece will do its work 100 yards, will rarely miss aim or fire, and as rarely fail to kick the huntsman over. That large double-barrel tools well, those are splendid locks, she carries a fine load and if you take her, you will carry one too. But see that short double-barrel. To

shoot partridges you will say. Yes! to shoot anything within the range of 70 yards. You can ride half speed with it in one hand and fire too if need be, with a fair prospect of bringing down a Buck.

I will give you choice of them. But here are the dogs. They smell the powder, and know that a hunt is on hand. How restless they are! That old black tan is from the mountains of East Tennessee. He has a full mouth and will likely get up the deer, for in trailing he has the coldest nose this side of the North Pole. Those two young black tans are of his stock, both fleet and tough. That large blue dog with black speckled shots is the only real buck hound I have seen in Arkansas. You will distinguish him by his --- full mouth. He will lead the chase. Be ready to shoot when he gets in 200 yards, the deer is rarely further than that from him. Earth has no platform wide enough for a deer to run on and keep out of his reach, and the water must be deep and wide to save him.

Here are cap, powder, and shot, and here is the best hunting horse in all the land. This spur, he may need persuasion. There, we are off, and back again. Here is water to wash the blood off your hands. Take off your coat and rest a while, or would you rather take smoke. Here is a pipe and here is a paper. I know you will not tear a letter off the edge as close as you may. Now your pipe is lit, tell us how far you shot, and all about it.

But then I am getting ----- and you will think me as nearly cracked as when I came upon the bench. No, Judge, time has quieted many an anxious aching throb of the heart, and now as I have but little to do but jog on for a few years, will not repine at hopes. God in whom I trust, orders all things to his will. No sad misfortune has befallen me or mine since we last met and a fair reward has been received for my labours. Now you will after this write to me and let me hear all about how time is doing his work with you.

As ever, your Friend, D. Walker

Letters written by
 JUDGE DAVID WALKER
 to
 DAVID C. WILLIAMS
 of Van Buren, Ark., in 1861-1862

David C. Williams was born in New Orleans Mar. 27, 1815, son of D. C. Williams, a native of Wales. Left an orphan at early age David C. Williams was taken into the home of Alexander Philips in New Orleans. David became acquainted with Arkansas while traveling for Gasquet, Parish & Co., New Orleans dry goods merchants. In 1843 he went into business at Pine Bluff, and in 1834 removed to Van Buren, where he was partner in business with Henry Cunningham, and later with John Henry. Williams was a Whig in politics and a unionist during the war. His store at Van Buren was at the corner of Main and North 3rd St. Emma Johnson, a step-daughter of D.C. Williams, married Walker Moore, nephew of Judge David Walker. D.C. Williams died May 15, 1884. He was deaf and didn't hear the train that ran over him.

-- Ted R. Worley, exec. secty.,
 Arkansas History Commission

The originals of these letters
 are in the Clara B. Eno collection
 in the archives of the
 Arkansas History Commission,
 Old State House, Little Rock, Ark.

(Judge Walker to D. C. Williams)

ST. LOUIS AND FORT SMITH TELEGRAPH - STEBBINS LINE

Fayetteville 18th 1861

to D. C. Williams

The national flag waves above us. The enthusiasm is great. The vote Six Hundred (600) now taken we suppose is ten (10) to one (1) for the Union Ticket. Our success is certain.

D. Walker

ST. LOUIS AND FORT SMITH TELEGRAPH - STEBBINS LINE

Fayetteville 19th 1861

to D. C. Williams

Union Ticket fourteen hundred ninety (1490). Disunion Three Twenty (320) - Cane Hill township to hear from. Will add to majority - Benton one township Union thirty-two (32) - Disunion (4) largely against Convention.

D. Walker

Paid

28th Monday Morning

Dear Sir

I received your kind letter and did not answer it because I expected to be in Van Buren tomorrow and respond verbally to your many interesting suggestions. But I regret to inform you that Walker Moore came up sick, and has not recovered, on the contrary is so much worse this morning that I am unwilling to leave him. I think he will recover. The disease is most obstinate torpor of the liver, that almost defies medical treatment, with some fever. Should he get worse, or his condition indicate that he will not recover, I will certainly write so that if I do not you may be assured I think him better.

I expect to run for the Convention but with little hope of doing much good. The Southern heart is now too much fired to reason.

As ever your friend
D. Walker

D. C. Williams

(Endorsed) 1861 D Walker Jany 28
" 29
" 29

(Editor's note: The Walker Moore mentioned in the above letter and the "Walker" mentioned in the first paragraph of the next letter refer to D. Walker Moore, nephew of Judge David Walker. He was the son of Judge Walker's sister Mary.)

(Judge Walker to D. C. Williams)

Underwood Jan. 29th 1861

Dear Sir,

When I wrote you yesterday I was seriously alarmed on account of Walkers situation, the Doctor came and gave medicine, which has much relieved him and gives assurance of speedy recovery.

And now for your Letter. I was glad to get it, and glad to find you so firm and decided a friend to good government.

The Convention bill has come to us since you wrote, and makes no provision for referring the action of the Convention back to the people for their approval. This was a great and grave error. If this government is ever broken up, as it is threatened to be, the sovereign power will not revert to the heir apparent to the crown, as it would in a monarchy, but the power reverts to the people, each individual taking back to himself an equal part with any other. And when a new government is formed they delegate certain powers to the several departments, to exercise for the common good. It therefore naturally and properly follows, that they should know what powers the new government is to possess, and ratify and affirm them, or they may well claim that they have parted with the power, and will not sanction the act. North Carolina, Tennessee, and Missouri entertaining a decent respect for the rights of the people, provide in their bill calling a convention that should the convention decide that a change in the relations between the State and the federal government was proper, that they should refer the question of union or disunion back to the people for a direct vote, and let them say whether they would sanction such change. Kentucky and Virginia will doubtless do the same. This was all right, and will not only afford time for an adjustment of our difficulties, but will enable the people to decide directly for themselves.

This bill of ours, however, makes no such provision, but gives a quorum of 50 men called together under an apportionment made ten years ago absolute power to dissolve all connection with the federal government, and to inaugurate a new governor, such as they may see fit, and which is to be binding upon us whether we approve it or not. This is a gross outrage, and one to which I never will subscribe. My opinion is that we should have taken our stand with Missouri, Tennessee, Kentucky and the other border states, and if a Convention must be called, that we should have followed their example, if they determine to remain in the Union, by all means we should join them. We should have encouraged them to take the stand and have united with them.

I am confident in six months the folly of the extremes would be manifested to themselves so forcibly as to bring about settlement of all difficulties. But how is it now? They have all resolved, that if their delegates in Convention think it necessary to secede, that the question be referred back to them. Arkansas holds her Convention at the same time, no such obligation is imposed upon her. If she goes on, and acts, she thereby places it out of her power to act with the other border states. She in effect throws them off, and discourages them from all further efforts, whilst she encourages the disunionists to persevere in their disloyal course toward the nation.

Thus situated it seems to me, that we should make the issue broadly, at the approaching election, and to exact of every candidate who runs a positive unequivocal pledge that in no event will he take any step to disturb our present federal relations or to inaugurate any new government that is to bind the people before it is referred back to them (to) be voted upon and approved.

This is reasonable and just, and it seems to me that the great mass of the people will approve it. I am confident that they will here. If this is done, then the members of the Convention will do what the legislature should have required them to do, and we will still stand side by side with the border states to act with them.

There are a great many up here who profess to be Union men but I find they chuckle and rejoice at every extreme disunion movement. They say they would be for the Union if there was any chance, but the time has passed &c &c. Now sir I would greatly prefer open enemies. God defend me from all such deceitful dissemblers.

I have no doubt but that if the Northern people could have a chance now to elect members to Congress, they would send men who would vote for Crittenden Compromise measures. Then Southerners don't want the Compromise to be effected, and if the Northern members were to come over now, and vote for the Compromise, I doubt not but that a goodly number of the Southern members would find some excuse to vote against it. Indeed in anticipation that such might be the result, several have said that they would not abide any compromise that did not receive a majority of Northern votes.

These men want to open the African slave trade. They want free trade and as a necessary consequence direct taxes. This has been their favorite policy for years.

It is probable that I will run for the Convention. If I do, or whether I do or not, I will do all in my power to restore peace, and prevent extreme measures in this State. I owe this to posterity and my children more than to myself. My own race is too near run to hope to see our country prosperous as it was 12 months ago.

Will my old friend Turner run for the Convention. I can rely upon him, and I am sure you all feel as I do, his integrity and firmness eminently fit him for the occasion and the place.

I have written in great haste, hope to have time to write again. I repeat my thanks for your letter. I wish you would write a good long letter to our friend John Buchanan. He has great influence but his ministerial position makes him diffident to exercise it. This is no time to falter, every man who can ought exert himself. I know he would value your opinion and would be warmed up in the cause. He is a Union man, no fear of that.

I received a letter from Friend Bean. He writes that a meeting was held at the Hill last Saturday. J.B. Russell was recommended from that part of the county, and that I received a unanimous invitation to run.

Please write again.

Truly yours
D Walker

to D C Williams
Van Buren Arks

(Judge Walker to D. C. Williams)

29th August 62

Dear Sir

I avail myself of this favorable opportunity to write a line and send you some papers.

The mountain counties as well as this, have turned out nearly every man for duty, and without conscripting. Four companies from Madison came in today, and with arms and ammunition. We have quite a formidable force. The Missourians still pour in by hundreds. Yesterday 300 came, nearly all with arms.

God grant that we may be able to raise a force sufficient to protect us. Shurly this war cannot last long. Read Knapp's speech in 12th August No. I send that speech to Major Henry and for that good deed beg of him to get for me a keg of good whiskey or brandy, for which I will pay any price in or out of reason. I request this of him because I believe he is a judge of the article, and I fear you could not tell, having used it so little. I will send you other papers when I get them which may not be long.

Yours truly
D Walker

P.S. Send the whiskey to me soon
and greatly oblige. W

8th Oct

D. C. Williams
Dr Sir

Your note relative to pork came to hand, as well as one before, at the time the whiskey came to mouth. I have been waiting for some one to go down in whom I could confide to attend to the first, and write now to say that I will certainly supply Walker with pork. I do not know that any will be driven, but will kill and salt if I can get salt. If possible get him what will salt 2000 pounds. I may have that much to spare.

I found an opportunity of getting for him, a fine well trained U.S. cavalry horse, taken at Lone Jack. He is admitted to be the finest horse in the cavalry service. Walker sent his stallion here to be sent home but I find no chance. If you should know of any one who would take him I will pay them if they will call.

I also send his old gray by the bearer, please have him sent out to Walkers place. Walker has left Carrolls Regiment and is now with Col. King.

The Federals are near the Mo. line, said to be 15,000 strong.

Yours
D Walker

(Endorsed) 1862 D Walker Oct 8

Fragments
from the notebook of
JUDGE DAVID WALKER
written in his own handwriting
during the war years

The original notebook
is in the keeping of
J. Wythe Walker of New York City

They enquire about the flood, its ravages and effects, wonder if it will reach them. They have never seen the flood; heard much about it; say they have sent men to throw up embankments to stop it, many of whom have been lost; that had the men of the valleys staid at home and helped make higher embankments, the waters would never have driven them out. The last embankment high up in Texas, refugees in camps, others coming in, news from all around -- the waves are abating, the waves going back. No, they only pass around to come in at another point. It comes - it comes - it comes. Father Noah launches his ship. The few are saved.

It requires no sheath of fancy to make this applicable to our condition. And as there is a tide in the affairs of men, so there is in their feelings and sympathies, and I have thought that if some bold nervous pen such as Milton or Byron (God save the mark -- there are none such) would commence far back, depict the vices and crimes which led an indulgent but an outraged God to visit upon his rebellious people the flood, and then describe it, its consequences, &c.

And in like manner allude to our happy and free institutions, God's smiling approval and our prosperity. (To connect the story of the first and the second great desolation, by a freak of fancy make the ship, Noah's ship, to land in this new world.) Then draw a strong picture of our troubles, their cause, the consequences, God's displeasure &c. It might be made interesting. Pike or Cush might make a clever thing of it. Or why not try it yourself? I know you write prose, in my opinion better than either of them. But this must be in verse, either after the measure of Pope, Milton or Byron. You have nothing to do this winter; suppose you try. What think you? Answer.

Well, after all this nonsense or whatever else you please, I close by a few words of home, news, &c. Have a good supply of pork, well cured. This cold weather suits to a charm. Will get to plowing when a little warmer. Army news from all quarters indicate a standstill this winter. All things considered, we have stood the shock well. If there should be a winter campaign, it will be from (the) Texas coast, but I think that will not even be made. In the meantime we will prepare for the spring campaign, and as ever before we may say another year and then -- then what? Why, unless the financial condition of the North drives them to the recognition of our independence, another and even another.

You may ask if this be the case will not Texas be overrun. I think this likely, but if so, Kentucky, Tennessee and perhaps Missouri will have been partially redeemed. In short, there is too much territory to be conquered and held. This the Feds ought to know. If not, will be taught to know. In the meantime civil government and constitutional rights will yield to a military government as a necessity and painful as the thought is we will come to embrace it cordially as a protection from greater evils.

Such is my prediction. Give me yours. Think the matter over and write the result. Has Col. A. Carroll yet gone to the army? I suppose not, particularly as I learn they are in winter quarters near Camden. Give him my respects.

Very truly your friend D. Walker

(From Judge Walker's notebook)

Dear Friend,

Could you have supposed it possible that there should be such intense cold so far south as this, eight days of incessant cold? Why, sir, when I look out around and sensibly feel within, I am led to doubt whether all the glowing accounts I have had of perpetual springtime, and flowers and deep shaded groves of oranges, pomgranates and citrons, is not the mere shadow of a dream. As you may well suppose, I have been housed all the while, and for the most part the solitary tenant of my room. The mails have stopped, travelers come not by, and I am left to thumb over for the hundredth time a few old papers, read and cast off, and re-read again. And then turning from side to side at the call of comfort, I sit and think over this horrid war and all its blighting effects. Our situation, past, present and prospective. I can compare it to nothing imaginable save the coming of the flood which God in his wrath sent to scourge a sinful and rebellious world.

I have been trying to draw some faint picture of man's condition then, and now. Methinks I see the clouds gathering afar off in the east, faint and indistinct flashes of lightning, dull and far-off sound of thunder. Occasionally the shepherd pauses and casts his eye enquiringly in that direction, irresolute to drive in or detain his flocks. Old men look wise and tell of the dreaded ravages of the tempest in days gone by, and distrust the omens. Others more heedless of signs and confident in their strength press on in their pursuits of pleasure or gain. The clouds become darker, the flashes more distinct, the thunder louder and all nearer. Anon the rain begins to fall. The flocks are driven in, the rivulets overflow their banks, slight embankments thrown up, the grain garnered or swept off, the flock moved to higher, safer ground. Some are scattered and lost, some drowned on the way.

Men look out upon the clouds and see or fancy they see light breaking in the east, hope cheers them. They still remain; the waves will not reach them. Women and children are huddled in groups. Diverse counsels prevail. Some wish to go, others to stay. The rains still fall, the waters still rise. The more timid or prudent begin to pack up. There is but one outlet left (and that too is threatened. Some go, leaving half, some all their effects behind; others still remain, hopeful that the storm will pass over and the waves recede before it reaches them.

On the waves come. Some who stopped on the nearest high land, take fright and go higher. Some, shelterless and destitute, despond and remain, bide their fate. The storm is hushed for a time; the waves by some adverse wind appear to be driving back. Hope springs up; some go back to their old homes; others attempt to go and are lost in the waves. Those who venture back are soon undeceived- the waves are still sweeping on, destruction awaits them there. They would fain get out again. Some try it, a few succeed, some are lost by the way. Many give up in despair and die at home. The storm still rages; the waters still rise; the herds and fields and homes are deluged and lost.

The inhabitants of the high land receive the wandering refugees with churlish hospitality. Their country, they say, is to be overrun; their substance eaten up. They have neither shelter nor food for so many.

(Fragment from Judge Walker's notebook)
 (Possibly inspired by the death of his son in battle.)

When death has no lack of victims, and spares no age, no sex and no condition, when the hero, the peasant and the beggar fall alike into his embrace -- it seems scarcely proper to claim from the public, sympathy or passing sigh for the fate of one who, however beloved by many was not known to the world. The peal of musketry over his grave tells so familiar a tale of death and desolation that its thunder tones fall upon the ear and die away without causing a ripple upon the surface of society. We pass the new made grave and ask who sleeps there, and care not perhaps, so the departed claim no relationship to us. Nor do we ask by what means the death came. All we know or think of the subject is, that one more human heart is stilled forever and one more immortal soul has passed to the place of spirits.

There is one new made grave thus idly passed by those whose feet wander objectless and careless. Yet around that little mound so new and unknown, traces of the mourners' feet have gathered thick. Tears bursting from eyes that shall look no more upon the pale face that is underneath, have hotly and plentifully fallen there.

The tenant of that earth was by many beloved, who when his sad fate is made known to them, that one more link has been dropped from the chain which connects the beautiful things of this life together.

How must such calamities fall upon the heart of a father? How must it fall upon the wife, the brothers and the sisters, such as heretofore have had no great and terrible sorrow. Called off in a moment, with life and hope fresh and buoyant and beautiful as is the evening shapes left upon the far hills by the downward going sun -- called away in a moment -- scarcely a time sufficient for the transit of thought from one part of space to another, given to comprehend the terrible truth, that the sleep to which he had fallen, was wakeless so long as time shall mark the events in the world's history.

A good and pure and noble boy. A most loving and obedient son. So unselfish that the sufferings of those endeared to him whether by the ties of common origin or on those of simple friendship was not deemed second to his own. Like all persons of true merit, gentle and forgiving. Highly intellectual. Affectionate to fondness, he won the affections of others, was loved and trusted and by us almost idolized. The pride of a father.

May the spot which is his last repose remain sacred from the footprints of the strangers who knew him not in life, and be only approached by those who come with slow and reverent step, weeping tears with which to keep it moist. Light of the hearth, joy of the fireside circle, full soon recalled to thy eternal home -- farewell on this earth forever.

(Unfinished letter in Judge Walker's notebook)

Lewisville, Ark.,
May 6th, 1865

Dear Sir:

I had hoped when I promised to write, to give you some cheering news but so far from it everything indicates that we are in the most critical situation. This department is rather stronger than ever and in good fighting trim but I hardly know what to expect in the other. At latest dates Johnson's army had not surrendered. You will learn by the time this reaches you, that a gunboat is in Red river demanding a surrender, that the Governors and Generals are in counsel. My opinion is that we will not surrender. I should regret if such were the case. When our men lay down their arms, we may expect no mercy. They will hold the rebel states as conquered territories and claim all the spoils of victory. If terms should be made respecting person and property, the federal officers who made them would be displaced and the terms repudiated. The popular feeling at the North is against us, and that voice will be heard and will prevail. Thousands will be out of employment there, bankrupt and will charge all to the war, and will clamor for redress.

(Fragment in Judge Walker's notebook)

Whatever may have been the policy of the Federal Government at the outset, there can now be no doubt but that it is its fixed and settled purpose to free the negroes and to settle them permanently in the slave holding states, to assert and maintain for them equal legal and political rights with the white population. To secure this end, they will appoint civil officers to administer the laws, until the negro and abolition vote is sufficiently strong to elect to office their representative men. Most of the prominent Southern men would at once be arrested and imprisoned, after which a proclamation would likely be issued pardoning all such as give in their allegiance to the old government. Stringent laws touching treason and rebellion will be passed and the Federal Courts charged to enforce them. Under these laws they will proceed to arrest, imprison, try and execute the prominent and true men of the South and to confiscate their property until every brave spirited man will be cut down.

With negroes and white men promiscuously acting as witnesses, jurors, sheriffs and judges, an appeal to the courts for redress would be nonsense. Yankee adventurers will come in immense numbers to take possession of our vacant confiscated lands, and to stimulate the courts and assassins to vacate others. Our cotton fields are to be cultivated by free negro labour under the superintendence of abolition landlords or their agents, for the exclusive use of the Northern manufacturers.

Such in my opinion is substantially the policy of the Federal Government, one which they have contemplated and fixed upon in detail as above. And I have recorded them for future reflection.

May 26th, 1863

W.

(An undated fragment)

I cannot think for a moment with any degree of patience upon reunion or if you please, subjugation, for the one necessarily comes with the other. Tell me not of terms. Once in their power and any and all terms inconsistent with interest, or the gratification of fanatical prejudices will be disregarded. If terms were made, respecting either person or property, the Federal agents who make them, however sincere they may be, will be condemned and superceded by the masses at the North and other better representatives of popular policy will take their place. The North are flushed with success and will insist upon the punishment of offenders and indemnity for losses. I shudder at the thought of giving up our arms and being placed at the mercy of an infuriated merciless enemy. You know that I went into this war reluctantly, but under the circumstances felt a necessary duty, but entered it without mental reservation, with a will to see it out to the end. I have no property now, and if I had, would not count it anything at this moment. I want a government in which our persons, property and rights will be in our own hands. I cannot trust to others, least of all to the Federal states.

Notes by

JUDGE DAVID WALKER

written on a war-time journey

to Richmond

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(Editor's note: The notes that Judge Walker wrote on his journey to Richmond in 1863 are written in pencil. They have become faint with the passing of 94 years and are difficult to decipher. We regret the incomplete transcription. Judge Walker may have intended these notes as letters -- letters that were never sent. One begins "Dear Sam" and another is addressed to his granddaughter Sue. We present these fragmentary notes for whatever value they may have for future historians.)

(A war-time journey to Richmond)
 (Penciled notes on loose sheets of paper)

Richmond, Mch 21 / 63

On the morning of the 23d about 10 o'clock I repaired to the residence of Major John D. Adams with instructions to have my horse put up. The Major and Doct. Armstrong were packing to get off. Mrs. Adams with all that the affectionate thoughtful wife arranges -----, putting up supplies of coffee, cake, biscuit, &c for our comfort. She observed that I had no traveling blanket and sent me a very fine one which as I anticipated was of invaluable service all the way.

I soon found the horse procured for me by Kemper (?) worthless and returned with him. Procured another which placed me in the rear. Just at night I reached Saline where I find our company. Took an early start and traveled (to) Tulip. The country all the way flat and poor until we reached the ridge on which Tulip is situated. It is hard to find a term expressive of the appearance of this place. Perhaps the term "refined poverty" may as clearly express the idea as any other.

Next morning at ----- we reach Pike in a fierce storm. Our horses much jaded, particularly friend Jack's and my own. Next morning we arrived at Camden. Found there Gen. Shoup and was also joined by Ogden Myers.

Traveled all day along the low banks of the Ouachita, the water generally flowing over the banks into the cars. Not one respectable farm till we reached the neighborhood of Monroe. There fine farms and extensive improvements set in.

(Two lines illegible here.)

At Monroe, a respectable town on the east bank of the river, we fell in with Mr. Samuel Butler and Mr. Boon of Pine Bluff. These gentlemen with those who joined us at Camden joined our party. It had been our custom to have java coffee, eggs, cakes &c &c prepared by the steward and set specially for our party. Major Davis, the leading spirit and life of our party rather officiating as superintendent and master of ceremonies.

On the first evening after Mr. Butler joined us, we seated ourselves as usual, Mr. Butler taking a seat next our first party in advance of the arrival of our coffee, accepted a cup of corn coffee. Mr. Adams served ----- The Major discovering this called to Mr. Butler to hold on, intending that he would soon be better served. Butler seemed to understand and set his cup aside. The conversation continued. The coffee, steak and eggs came. The servant, instructed as to the wishes of our party, offered Mr. B nothing. Mr. Adams forgot him. We ate on and when nearly done, the nigger remembered that Mr. B had not been ----- insisted that he should

still hold on and sent for the steward who after much delay came, to announce that we had drunk all the coffee and eat up our whole steak. As the Major still insisted that Mr. B should hold on but Mr. B insisted that he could hold on no longer and after a hearty laugh we left the table.

Trinity is at the mouth of the -----, a small village. There we took ourselves off the boat and went up the river and along Lake Concordia. There were many ---- farms, mostly fenced with a cliff shrub resembling the blackberry as much as the rose called the Cherokee Rose. It has a white flower and seems in general use as a hedge. when well set, it is impervious and forms a complete protection against man or beast.

Natchez is situated on a high bluff on the east side (of the) Mississippi. Several blocks are reserved and ornamented with shrubs, trees, bowers and seats. This eminence covered the river both above and below and also Lake Concordia in front and distant 22 miles.

The country about Natchez is very broken. No one who has not seen it can form an idea of the mass of ---- clay hills. interlocked and through which the road makes its serpentine course. Not a rock or pebble to be seen, a pale stiff clay is cut or washed in many places along the road from 20 to 100 feet deep. The growth is generally white oak, red oak, poplar and sometimes beech (?). Most of the country appears to have been once covered with cane, and now on the margin of small streams and on the inclines there are some canes large enough for fishing rods.

The whole country seems to have been in a flourishing condition some 30 years ago but is now in shabby condition, the hedges and fencing out of repair, many fields turned not, most of them washed in deep furrows. Not a stand now is found in the fields. They are all plowed in circles so as to prevent washing.

Reached Fayette to dinner. Fayette is a ----- village and the country around it rather ----- land, but this continues for a short distance with but little change in the general face of the country. We reached Port Gibson on the next day to dinner. Quite a city, well built and very heavily adorned with evergreens. Here there is no Hotel. We got dinner with livery man and traveled through Rock Spring, 4 miles to Tom Brown. Tom's was the best house we had seen. We fared very well indeed. Tom has a clever talkative interesting wife. Her neatly arranged well-seasoned dishes and white napkins shows that she is a jewel of housewife.

We traveled thence 42 miles to Jackson. Dined at ----- . The last ten miles presented a ----- appearance. Near Jackson the country is open, Hickory and oak ----- . Jackson is situated on the (?) River. The country from Jackson to Meridian, thence to Mobile, all a low flat river country. Indeed

it may be as well to say that through Mississippi, Alabama, Georgia, South and North Carolina, there is but little change -- the country all flat, wet, sandy, in many places swamps.

Mobile is a beautiful place. We stopped at the ----- . Visited the Works below. The roads and streets covered and macadamized with shells. Was on several ships and one gun boat. There were two schooners just in. They run to Nassau in 24 hours. All along in the bay are driven, pilers to point navigation only at certain points. Fortifications are made by boating earth and stone and sinking them in a certain place until an island is formed upon which they build. Here magazines are made by excavations and mounds of earth, and hear there and in advance our Navy anchors. I visited many earthworks, embankments &c which nearly or quite environ the city at a distance. The defences are laid off this wise:

(Here there is a pencil drawing)

We crossed the bay in a boat and landed at the railroad depot, distant 12 miles, a most pleasant ride. All along the margin were wide extents of tall waving grass resembling heath or brown grass.

Thence to Pollard. Thence to Montgomery where we staid over night. Started at 6 next morning. To Atlanta at night. Thence to Augusta about 5 o'clock. This is a great manufacturing city on the Suwanee River. The land somewhat better than before. Thence to Branchville and to Charleston. Put up at the Charleston. Here is the most interesting spot I have ever seen. The defences are strong. The water, its ships, schooners, ironclads, rams, sailors &c. I was upon them, examined several that had just run the blockade. Others building, with a thousand hammers striking at once.

Wilmington, N.C., is situated on the Roanoke at which place ships and sailing vessels readily approach. Wilmington is an old town, well built and does a considerable trade with smugglers. Petersburg is situated on a branch of James River that connects with the other branch at City Point, at which port there is perfect navigation.

Whilst at Richmond I attended a Methodist Church, heard Rev. Dalt Houston of Tennessee preach. His text "Love", a most beautiful sermon, very deliberately and happily delivered. He has all the deliberateness, clear distinct enunciation of the Episcopalian, unrestrained by a written sermon, but gave utterance to thoughts that welled up impromptu for the occasion.

The minister, Mr. Houston, in his sermon drew a comparison between the character of Christ and that of man's. ----- was a beautiful child and was ---- saved on account of his extreme beauty, was a human person but relinquished all and returned to his native people. Related an anecdote. Said a poor boy was found under the steps of a plantation house nearly naked and numbed with cold. There was a deep snow up-

on the ground. The boy had wandered homeless until weary and crawled there in half-naked state for shelter. When found by the servantsweeping the steps he was asked where he lived. He said no where. -- Where were his parents? He had none. -- Where his friends? he had none. -- No ---- for him, he was a poor boy.

20th March. It commenced snowing about 5 o'clock yesterday evening and has continued with slight interruption during the night. Morning finds a deep snow. I will remain indoors today. The Capitol Square covers about 10 acres of ground, embracing near its center a considerable eminence on which stands (the) Capitol. On the west is erected a marble monument, upon the top of which is the statue of Washington mounted upon his war horse. He is in uniform and fully equipped.

Lower down upon the wider base of the monument is the statue (of) Jefferson. He stands erect, bare-headed, with his cloak drawn about him, his right hand up to the point of the chin, a pen between his fingers, his left resting near his side, holding a roll of parchment on which are the figures 1776. He appears in deep thought as if composing.

On the same stand and to his right stands Mason bare-headed and with a manuscript roll in his hand. Still further around on the right stands Patrick Henry, his cloak thrown carelessly off, resting on his left arm and shoulder, his right arm extended. He is speaking like a classical Jove when ----- brings down the thunder. These are of bronze, of full size and are very inspiring.

Farther down to the west is the marble statue of Clay in the attitude of speaking. It is very life-like and inspiring and by far the most finished work. Mr. Clay must have been very old when it was taken. His white locks, pale withered face, are however relieved by his erect graceful animated position. There he stands, the peerless of his age.

James River above is rather a small stream and falls over a wide precipitous bed of rocks a mile or more. The water is conducted around into canals and is made to turn mills and machinery all the way by the ----. The same volume of water ----- from one water wheel to another and is thus repeatedly used. A short distance below, the water becomes deep and wide, forming a bay and safe landing for boats.

Called on Saturday to see the President. Was introduced to his aide, Colonel Lee. The President was engaged with Gen. Lee. Did not see him, called on Monday, sent in my name and was received with many others. The President was seated near the fire at the end of a table covered with papers, a chair near by him. After he was seated, one occupied the vacant seat and entered into conversation, which when over, both he and the President rose, bowed and that visitor retired. The next occupied the vacant seat and so on.

Whilst in conversation with the President, Senator Johnson attended to the appointment of Gen. Shoup, spoke of strong objections, intimated that if it were known that he wouldn't be assigned to duty in Arkansas that there would be no further objection to his appointment. The President said Gen. S was highly appreciated by Gen. Beauregard and other officers, -----, that his report upon the subject of manufacturing arms in Arkansas was the only ----- thing that had come from there upon the subject. That Gen. S had not approached him since his arrival and that he had shown his feelings of delicacy.

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I was favored with a seat in the Ladies car and having no particular acquaintance, sat a silent spectator, a listener, a thinker. The car was pretty well filled with officers and ladies of high degree, at all events of high positions. The ladies entered into free discussion of the war, its effects; went into raptures about the gallantry of this or the other officer. Some were from New Orleans. These had a blessing for brute Butler. Could tell of the fidelity of this servant, the treachery of that, of their dear sweet homes and many losses. The officers all had some tale of heroism in which they were prominent actors, all heroes. They criticized severely the conduct of superiors. But for this act, and success would have crowned our army here; or for that (act) and we would have been victors there. Denounced by times nearly every officer in the service for imbecility, tyranny, or cowardice. Stonewall Jackson, Longstreet and Lee perhaps excepted. But in the whole round of chat there was no real feeling of suffering, no sadness, no distress. Oh, this ---! Could they not feel like that poor wife felt, could they not take part in the public calamity as she did.

We reached Montgomery at night and concluded to take a boat to Mobile. There were but few passengers. We reached Selma, a beautiful city on the Alabama River about 40 miles below. There several wounded and sick soldiers were taken off the boat, perhaps for the hospital. My friend had gone in advance of me into the city. At first thought I would keep my berth but remembering that I should shave, went out for that purpose.

As I passed up the bank, I came in contact with some Negroes in charge of a sick soldier. Two of them had him by the arm and two others around the legs, his hips and body dragging near the ground. The poor fellow cried piteously for them to stop, that they hurt him. So soon as I discovered his treatment, I directed them to lay him down and one of them get on each side to lock their hands under his body and raise him gently up. This they did and the poor sufferer, as he passed, gave me a kindly look that well repaid my care for him.

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The Alabama has a fair amount of bottom land, not very rich but apparently well cultivated. None of it at all to compare with the lands on Concordia Lake near Natchez, or that on the Ouachita about Monroe. This is the last day of March. We get to Mobile tonight. The weather has been cold. It snowed 12 inches deep at Richmond on the 19th. The snow remained until we crossed the Cumberland Mountains. Lynchburg and all the country from there to Knoxville, has abundant supplies, and is in fair state of cultivation. We passed 4 tunnels in one day. I do not know the length of them but from the time we were under ground they were generally about 300 yards.

Major Adams failed to get ----- in the baggage train and was left at Dalton, Georgia. We came on to Knoxville and staid over for him at the ----- House one day. I was quite sick all day. Saw but little of Knoxville. It appeared to be an old and ----- but well built city. From there to Atlanta the country is plentifully supplied with produce. At the crossing of the Tennessee there was a military camp and works to protect the bridge being built. The Tennessee was full and quite a ---- stream.

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A woman of homely ways and had neither the youth nor the sentiment to soften her manners or enlarge her mind. She may be the fairest and the faithfulest that ever stood on hearth stone, but if she's not of her man's fancy, she's no business there.

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28th. Crossed the Tennessee R. at London, 29 miles from Knoxville.

His sins have been like a child's sins. Capricious, wayward, fanciful transgressions.

To Charleston at a River, 60 miles from Knoxville. Cleveland 70 miles. At Atlanta \$3. West Point.

What has Holmes ever done? He had one of the best armies in the Confederacy. 45,000 and now where is it? Scattered worse than the f-----. They are all gone to about 15,000.

Conversation at West Point. Ladies and high officers. 29. Dinner \$1.50. Supper \$1.50. Passage to Mobile and drayage \$21.00.

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The wounded soldier and his wife

At West Point, a depot between Atlanta and Montgomery, owing to a change in schedule time, we were delayed for several hours. There was a dense crowd at the depot platform. Men loaded with trunks, knapsacks and satchels, in groups, each holding or watching his baggage. Amongst this ----, I noticed near one of the columns a poor soldier on crutches. Near him stood a woman with a child in her arms. It was his wife. Silent and watchful she stood by, waiting the sound of the cars. Presently we heard the whistle and all was bustle

and one moving mass started to the edge of the platform to be ready to get on in time to procure seats. It so happened it was now as often before that I was far in the rear of the mass of strugglers for admission and was consequently near the wounded soldier and his wife. They were slowly making their way. The husband on his crutches. The wife with his old dirty blanket, his knapsack, her own stachel and child, wending her way by his side.

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You will be surprised, Sue, to receive a line from here, when you had assurance of my return home, to learn that I have wandered so far from home since we parted. I certainly then had no thought of visiting Richmond. It so happened, however, that on the same evening I left you, my plans were changed and after a fatiguing but otherwise pleasant journey of 18 days reached here.

I might if more at leisure attempt some description of Mobile and Charleston, at both of which places I touched and availed myself of a few leisure hours in viewing the public works.

Charleston is a lovely place and I often uttered a half suppressed but earnest wish that some such (home) for me would smile. I was upon the ships and schooners and gunboats, and some hundreds of others with sail, steam and oar gliding swiftly o'er the tide.

Away to the right is Fort Johnson, to her left about one mile and a little nearer is Fort Sumpter. Still nearer and farther to the left Fort Moultrie. And still farther to the left and a little nearer is Castle Pinkney. Oh how I shall feel when another fight comes off here. I shall be most brave in the midst of the fight. Sumpter and Moultrie are islands of artificial work formed away in the bay by sending rocks and building upon them high walls. But I have not room here for description. I will tell you of them when we meet. I also spent a short time at ----- and Petersburg, both old and well built cities, each having the advantage of coast navigation.

We are comfortably situated here, more so than we deserve, thanks to a little perception, or rather pretense. At Wilmington we telegraphed the proprietor of the Ballard House to reserve for us rooms, and he supposing he should have distinguished arrivals, fitted up a suite of rooms and a fine parlor. Oh you have no idea how very convenient and comfortable.

As I desired to rest a day before paying my respects to the President, I amused myself looking at the public works in and about Capitol Square. Away to the northwest of the Capitol stands a marble monument upon the top of which is

the statue of Washington mounted upon his war horse. Lower down and fronting the South stands Jefferson, his cloak drawn around him and hand elevated to the ---- which rests upon ----- as if in meditation, in his left a manuscript dated 1776. To his left on the same elevation is Mr. Monroe and still farther to the left stands Patrick Henry. He is speaking with his arm aloft extended "like classical Jove when he brings down his thunder."

A little farther to the west (is Clay). Erect and graceful with white locks and wrinkled features. Yet so commanding, so life like. Oh Hal, the world will never look upon thy like again! This is of marble and of ----- finish.

I must rest a while in memories of the past. I'll go and hunt up the old church where sat the Continental Congress, where is yet preserved the oaken chair of state sent over by George of England. There stood Henry, with short sentences and commanding gesture he made attention of his audience. Cromwell had his Charles, Caesar his Brutus, let George the 3d beware. Hear the cry of treason - treason. The speaker pauses, raises his manly form still higher and more erect - his eye flashing with defiance, repeats the ---- and adds, If this be treason, make the most of it.

And here too is the remains of the old theatre burned with such fearful loss of life. But I am tired and must rest, oppressed with thought.

On the spot on which the theatre was burned has been rebuilt a church. In front is a monument neath which rests the ashes of the dead and their names inscribed upon its sides.

The church in which the Continental Congress sat is of frame, stands on a high eminence down the river. Is enclosed with a brick wall and the whole Square covered with graves. The oldest inscription I observed was dated 1754 from which I infer that the building was not built a great while before that time.

I saw Duff Green today. Heard the debate by him upon the salt bill in the House of Representatives of Virginia.

Whilst I was walking out looking at the old colonial churches, I came near the old African church, a queer looking building in the form of a cross presenting 4 ends. After passing on a short distance I (saw) a hearse followed by more than 20 fine coaches filled with mulattos and black negroes, I suppose from their ----, members of one of their orders and they were following to the grave.

Today I visited the President and was with some dozen others introduced. The President is near my own age, of thin visage and near six feet high, dressed in plain gray clothes, neither beard nor whiskers, a decided improvement for -----.

After waiting till he had conversed with several others who were in turn bowed out, he invited me to take a seat near him which I did and conversed for a short time. When he learned the purport of my visit, he invited me to call again and he would give me a private audience. Upon my next visit we had a fine and rather productive conference, at the close of which he invited me to dine with him at 6, which I accepted with a mental reservation that I would drive Mr. Ballard home and take him for supper.

The President lives in plain style, by no means equal to many others, is social and easy. Mrs. Davis was not at home, is in Georgia. She is his second wife, quite young and I am told makes very free with him. Calls him Jeff before company and is otherwise much at her ease. Poor old man — so much for getting a young wife. Now, Mrs. Davis, if all this be true, if (it were) my case, I'd bring you up standing.

Well, can it be that I was seated near to the celebrated Mrs. Greenough, who was a person in Washington and who wrote so prettily describing her treatment by the Federals. Yes! and she is simply beautiful. Just the prettiest figure and face to be found this side of Venus. Dressed in black, sparkling jewels set off her dark hair so tastefully clustered and fastened behind.

I suppose she is 30, shows not age but full maturing. I half suspect that her cheeks are slightly shaded with paint. Ah that spoils it all, give me no artificial women, with false color, false hair or false teeth, lest I suspect a false tongue and false heart also.

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War-time Miscellany
from the
DAVID WALKER COLLECTION

(Lt.Col. F. W. Lewis USA to Judge Walker)

Hdqrs 1st Mo. Cavalry
Camp at White River, Ark.
March 30th, 1862

To Judge Walker

Sir

It is not the intention of the Government of the U.S. to prevent citizens from returning to their homes and families, and the troops sent by them are not "thieves", ravishers "and marauders", as reports have scandalously reported. You can therefore return to your home in perfect security of yourself and property, but you will not be expected to aid, assist, or abet in any manner the troops of the rebel confederacy now in arms against the best of governments. Deeds, actions, and lending countenance by any assistance will alone submit you to trouble with the troops of the U.S. Army - who, you must understand, do not want your Niggers or other property.

Respectfully,

Fredck Wm Lewis
Lt.Col. Commdg 1st Mo. Cavalry

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(Judge Walker to Governor Flanagin)

Point Remove., June 9th, 1863

Gov. Flanagin.

I have just returned from Mountain country. The crops of wheat are fine and will furnish a handsome surplus for the army if it can be saved, which however is doubtful. Corn crops must be very light; there is comparatively but little ground cultivated and that planted late and badly tended.

The spirit of resistance is stronger than ever, but it is, I fear, stimulated by revenge, and some are banding together in military form for protection and plunder.

Those who have left their families and gone north, or who have relatives in the northern army, as well as some real or supposed sympathizers with the old union, are robbed of all their valuable property, indeed a pretty brisk business (in some places) is going on in stealing and plundering. In most instances I am persuaded that those possessed of this property have been guilty of acts which upon investigation would cause their property to be confiscated, but I regret very much that no efficient steps are taken to stop this indiscriminate plundering. Horses, cattle, and in one or two instances, negroes have been seized and taken off for private speculation and sale. Is it not possible to have some stringent order enforced by which a stop may be put (to) such dishonest demoralizing practices.

There is no prospect of an invading force in that country soon. There was a small force at Cassville and not exceeding 1000 or 1500 at Springfield. I learned from Doctor Stevenson, one of our citizens who had been taken prisoner and had just returned, that a great many of the Arkansas Feds had deserted, in all nearly half, and those remaining were dispirited and discontented. These deserters will doubtless get back into the mountains. Some may desire to come in, indeed will desire, or consent, to join our army. I have no confidence in them. God knows alone, how mean and cowardly they, for the most part, are.

I have not been well since my return, was exposed and fatigued trying to get some negroes and other property out. My loss in negroes has been less than I supposed, in other effects greater.

The news is very cheering, from Vicksburg.

There was one matter about which I intended to say a word to you when at the Rock but got off without doing so. I believe an act of Congress passed authorizing the appointment of commissioners to value property to be purchased for the use of the government, and, that the Governor of each state has the appointment of one of them. Our friend, John D. Adams, would be pleased to receive the appointment. I appreciate him as honest and capable. You know him well, and in making the appointment I trust you will consider his fitness for the office, in connexion with others.

With high respect
I am yours
D. Walker

P.S. There is one matter that I trust Gen. Holmes will look to. I find in these horse-riding companies (I wish I had more respect for that service) a good many stout young men, some of whom belong to the service across the Mississippi, others who belong to the infantry at Little Rock, and some laying about in no service. Will he not at once take steps to have these men put in their proper commands. W.

(The original of the Walker to Flanagin letter is in the Kid Oldham Collection of the Arkansas History Commission.)

Lewisville, Ark.
April 27, 1864

This letter is intended
for Judge Davis at Ft. Worth.
I send it to you to read and
forward as I have not time to
write to you - send it off by
the first mail. W.

Dear Friend

I wrote you a long letter some month or more ago, to which I have received no answer, indeed I do not know that you received it. My situation here enables me to collect matters touching the war, which I apprehend on your return home you may not receive through the ordinary news channel, and which will interest you. At the time of my last, I was estimating the Federal resources and recounting our sweep on the other side of the Mississippi, now I refer to matters at home. You have heard of our glorious victories under the leadership of young Zack Taylor, a genuine chip of the old block; knowing ones estimate the entire loss of the enemy including losses on transports at 10,000 and the rout and retreat of the enemy is complete.

Gen. Steele left Little Rock about the 22d March with about 7,000 men, was joined at Arkadelphia by Gen. Thayer from Fort Smith with 3 or 4,000. They proceeded toward Washington until they got to the Little Missouri about 20 miles from Washington, about which time Cabell and Marmaduke got in their front and flank and Shelby in their rear, their forces fought and annoyed them for several days, until on the 5 April Gen. Price vacated Camden and marched to the front and took command of the 7th in person. I was present and spent the night of the 10th at Prairie d'Ann in line of battle, witnessed the heaviest cannonading I ever heard. It lasted from 4 o'clock in the evening until eleven at night. I lay with my son Edmond in line of battle, all the lights extinguished, all still save the cutting crashing sound of shot and shell through the air. None of the shells fell near where we lay, as it was night and there was nothing to indicate the locality of the breast works they fired upon and in the direction of our skirmishers, hemmed in and surrounded the enemy, turned across towards Camden, which place they succeeded in reaching on the 15th inst. It was not the picking of Gen. Price to prevent this, as his object was not to fight them but to harass them, to hinder and delay them, until reinforcements could reach him. Remember that our whole infantry force had been sent off, and the cavalry did all the service and for which they deserve great credit.

Upon the arrival of the enemy at Camden, they sent out 210 waggons for forage, guarded by 2,000 negroes and 1,000 white soldiers. This train Cabell, Gano and Masay intercepted, gave them battle, whipped and drove them, captured the whole train 1300 mules grazing, 14 ambulance mules and harness, 4 pieces artillery caissons and ammunition, 150 beef cattle, corn, coffee, clothing, blankets, 100 stand of arms. Killed about 400 mostly negroes, wounded about 50 or 60 that were found on the field, how many were carried off not known, took about 90 prisoners. Our loss about 20 killed and 70 wounded.

In the other skirmishes and fights we killed about 100 and took nearly as many prisoners. How many more that were borne off by the Feds we of course do not know, their prisoners say several hundred. I am just from the army at Camden. Our whole force was drawn up in line of battle near the bridge one mile from Camden on the 25. We opened a heavy fire upon their support position in and around town. The long roll was beat but our fire was not returned. It was not the intention of our commanders Smith & Price (both of whom were present) to do more than threaten, and thereby hold them still until Gen. Fagan with 4,000 men could go around and take Pine Bluff and Little Rock, both places as we have heard, being but slightly defended.

It is said that at Pine Bluff there are only 300 mostly negroes. We presume that by this time one or both places have fallen. We estimate the whole Federal force at 12,000, ours 10,000 infantry, 7,000 cavalry. The troops are in fine spirit and fight equal to the best. Cabells brigade broke the batteries when the waggon train was captured and are said to have behaved with great bravery, were on foot, marched across a field in the face of the enemy, reserved their fire till within 40 steps, charged and drove the enemy without wavering. I am happy to say that my son Ed., a lieutenant in Capt. Rieff's old company, is said to have distinguished himself. Gordon's regiment of which his company composes had led in taking the battery.

It is rumored today that the Feds are leaving Camden and our whole army in hot pursuit. They could not have lived there a day but for the treachery of one Elliott, captain of the steamer "Homer", who was in our employment and in direct disobedience of orders, ran his boat up to Camden with 5500 bushels of corn (our corn) and sold out boat, corn and all to the Feds, and is now with them. He was the first man in Camden to put on the blue cockade and is today the basest traitor in the state.

Forrest has lately taken Union City, Paduca (which the Feds shelled and burned to get him out) and is now in possession of Fort Pillow. We hope he has guns to command the river.

Federal papers of the 13th inst. state that Mr. Long of Ohio introduced a resolution into the Federal Congress declaring that "It was better to recognize our independence than to seek to subjugate us". Mr. Harris of Maryland in advocating the adoption of the resolution, said that "our independence was an established fact." Whereupon a motion was made to expel him, which motion failed.

Well, my sheet is out and I may only have room to say, that there is scarcely a doubt but that in 30 days we will regain the whole state, except perhaps Helena. We will most likely whip Steele, capture most of his artillery and remaining trains, kill, rout and capture most of his men, knock the Lincoln Arkansas government into a cocked hat.

Your friend D. Walker

28th. Glorious Fagan on the Saline captured 300 waggons, 1800 mules, six pieces of artillery, killed and wounded 500. Captured 1,600 prisoners, our loss not stated. This is official. Gen. Egan continued on towards the Rock & Pine Bluff. Steele still at Camden. W.

(Judge (Colonel) Walker's commutation of quarters)

The Confederate States
to David Walker, Dr.

For commutation of quarters as Colonel of Cavalry and Judge of Military Court assigned to Major Genl Magruder's command at Camden, Arkansas, from the 14th day of September 1864 to the 30th day of September 1864 inclusive. For four rooms and one kitchen, making 5 rooms in all, at \$20 per month each.....\$60.00
For commutation of fuel for same period. 3/3 cord of wood at \$10 per cord..... 6.00

Jno. W. Faust, Capt. and Quartermaster

The Confederate States
to David Walker Dr.

For commutation of quarters as Colonel of Cavalry, and Judge of Military Court, assigned to command of Maj. Genl. Magruder at Camden, Arkansas, from the first day of October 1864 to the 18th day of December 1864 inclusive.

For four rooms and one kitchen, making five rooms in all, at \$40 per month each..... \$520.00
For commutation of fuel for same period, 8 3/5 cords at \$10 per cord..... 104.00

Jno. W. Faust, Capt. and Quartermaster

Both of above signed:
David Walker
Judge Mil. Court

("Last pay" of Capt. J. Wythe Walker, killed at Jenkins Ferry)

Chief Pay Office Fagan's Division

In the Field Feby 5, 1864

J. W. Walker, Captain Co. A, Brooks Regiment Fagan's Brigade has been paid monthly pay from the 31st day of July to the 30th day of November 1863, amounting to \$520 at this office.

Ben T. DuVal
Major & Q.M.

(Endorsed on back:)

Certificate of the last payment made by me to
late Capt. J. W. Walker, Co. A, Brooks Regt.

Ben T. DuVal
Jan. 27, 1865 Major & Q.M.

(Notation on back, in handwriting of Judge David Walker:)

"Wythe's back pay"

Proceedings of the
Rail Road Convention
held at
Fayetteville, Ark., Aug. 15th, 1870
together with the
Report of
Hon. DAVID WALKER
Delegate to Boston in the interests of the
Arkansas Western Railway
Fayetteville, Ark., 1870

Proceedings of the
 Rail Road Convention
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 Fayetteville, Ark.; 1870

Proceedings and Report

The citizens of Washington County, and delegates from Crawford, Sebastian and Benton counties, assembled at the Court House in Fayetteville, Ark., Aug. 15th, for the purpose of deciding upon some mode of procedure toward securing the early completion of a Railroad from the Missouri State line, via Bentonville, Fayetteville and Van Buren to Fort Smith.

Judge Wilson was chosen chairman and A. Caraloff, E.B. Moore and D. Webster, secretaries.

Judge Walker, being called upon, submitted a written report of his mission to Boston, whither he had been as a representative of the people of Washington County, to confer with the directors of the South West Pacific Road. The Report was endorsed by Mr. Dinsmore, delegate to Boston, from Benton County, and was as follows:

In response to a resolution adopted at a meeting of our citizens at Fayetteville on the 6th inst., I proceed to narrate briefly the result of my recent mission to the Railroad board of capitalists at Boston; and at the outset it may not be amiss to remind you, that Mr. S.K. Stone of this place and Mr. A.W. Dinsmore of Bentonville were associated with me; and it affords me pleasure to say to you, that both of them labored earnestly and faithfully to accomplish the object of our mission, and that whatever I may herein say regarding my own efforts in that connection, must be understood and taken as applying equally to them.

Waiving any particular reference to the difficulties we met with in procuring a transfer of the Charter which certain Corporators claimed to hold over the route from Van Buren by way of Fayetteville and Bentonville to the State line of the State of Missouri, and which we had been assured could be obtained, it may suffice to say, that the Charter was procured with no intention of constructing the road, but to protect themselves from rival interests, and for the purpose of speculation; and that in fact, the franchise was procured from the State, not in good faith as required by law. With these convictions, we came to the conclusion that gross fraud had been practised upon the State of Arkansas, and that a franchise thus obtained was worthless and could not stand in the way of a charter taken with the honest intention of building a railroad, to develop the resources, and add to the wealth of the State.

Firm in this belief, we were encouraged to appear before the board of directors at Boston, composed as it was of honest, shrewd, practical business men. After reading the general railroad laws of Arkansas, and learning the facts and circumstances of the case, took the same view of the matter that we did, and gave us assurances, that if in the future, we could get control of the charter claimed by Scott and Company, or otherwise obtain a valid charter for a road upon the same line, and would afford them such liberal aid and donations as it might be in our power to make, that they on their part, would at once, put competent Engineers on the line, and have a survey and estimate of costs made; and that after their Company shall have completed their road from Peirce City to the Missouri State line, and circumstances permit, they would commence our road, and have it finished without unreasonable delay; and further, that any aid or donations from our citizens would not be due or payable until the road should be completed to Fayetteville.

I also had assurances upon which I rely with confidence, that any stock subscribed by our citizens, should if desired, be taken by said company upon just and equitable terms; and I may further add, that since leaving Boston, I have had assurance upon which I confidently rely, that should it become necessary to procure a new charter upon the same line, that said Company will subscribe for and take onehalf of the stock necessary for that purpose.

Such are substantially the understanding and agreement made with the South Pacific Company. It is with great pleasure, and some degree of pride, that I can assure you, that the Company with whom this arrangement has been made, is composed of men of intelligence and wide experience, of enlarged views and sterling integrity, and not surpassed in wealth and available means by any company in the United States; and in addition to this, they are earnest and faithful men whose promises may be relied upon with perfect confidence; so well am I persuaded of this that I will vouch for the prompt and faithful performance of their undertakings, if the people of the whole country, will but show themselves equal to the occasion, and faithfully redeem the promises and pledges I have made on their behalf.

We must, if at all, act in the matter at once, and unitedly, or the flood-tide which is now upon us may ebb away unimproved and leave us no time to meet the necessities of the undertaking. To sensible men, I need not dwell upon the importance of railroads and the many advantages resulting from them; every man in the abstract is in favor of them; diversity of local interest must not be allowed to prevent unity of action. The man of thought, and the man of action equally recognize them as indispensably necessary to the wants and progress of modern civilization. No community without railroads can reasonably hope to compete successfully with a neighboring community possessing the advantages of railroad facilities.

These propositions being conceded, the question properly arises, how are the means to be raised to build our road? By an act of the legislature of the State, when a road is deemed of public utility, State bonds are issued as the road progresses to completion (where there are no land grants) for fifteen thousand dollars per mile, to pay the interest on which bonds, a tax is collected of the people of the whole state.

Most of this grant has been appropriated for the building of roads in which we have no immediate interest; we must bear our part by taxation for the building of these roads, and unless we obtain a charter, and procure like appropriations to be made to this, the only road of immediate and pressing advantage to us, we will derive none of the benefits arising from the fund thus collected. The distance from the State line to Fort Smith is about ninety-five miles, and will entitle us to State aid to the amount of one million four hundred and twenty-five thousand dollars. The contemplated road will pass through three counties, and terminate in the fourth; these counties may each safely subscribe one hundred thousand dollars in bonds payable in ten or twenty years at six per cent interest, the interest to be paid annually, after the road is completed to Fayetteville; to pay which at the present valuation of property would require a levy of $\frac{3}{8}$ of one per cent.

I beg you to bear in mind, that when this road is commenced, or it is even believed that it will be built, a tide of immigration will pour into the country, bringing to us additional wealth, vastly increase the value of our property, and thereby give us material aid, not only in the payment of this tax, but in dividing with us the burthen of taxation generally.

Add to these two sums the additional sum of say seventy-five thousand dollars in stock and donations, and it will make a total of one million nine hundred thousand dollars, which however, is subject to a deduction of depreciated value of bonds, as per quoted value of State bonds now in market, say thirty-three per cent. The cost of the proposed road will, I suppose, be about thirty thousand dollars per mile, or in round numbers, for the whole road say three million of dollars.

I may be asked, will the road be profitable to the common people? Unquestionably they are the persons who will certainly be benefited, even if individuals lose by such investment; the people of the country through which the line runs will be reimbursed more than three fold by the rise in value of their lands and productions; the road when completed becomes the permanent property of the people; it will never cease to be operated for their benefit; it is never to be taken from them; and thus becomes a perpetual homestead to them and their posterity forever. The road itself when finished increases the wealth of the country, and is classed with other taxable property; the never ceasing tide of immigration will bring additional wealth and enterprise amongst us, and with the increase of wealth and population, the burthens of taxation will be more diffused and more easily borne. Will it be a paying institution to the stockholders? All counties abounding in agricultural and mineral wealth possess the greatest capacity for supporting railroads; the whole of South West Missouri and North West Arkansas present more attractions to the farmer, the fruit grower, the grazier and the manufacturer, than can be found combined elsewhere in the most favored regions of the West.

The country through which the road will run, is a rich plateau of the Ozark Mountains of vast extent, drained on the east by White River and its numberless tributaries, and on the west by the Neosho and Illinois Rivers and their tributaries, which form in their meanders a vast system of rich alluvial bottoms, not inferior to the valley of

the Nile or the plains of Poland, producing abundant crops of corn, wheat, oats, timothy and tobacco, now awaiting transportation. The uplands are fertile and admirably adapted to the production of clover, small grain, grapes and fruits of all kinds, all of which are now being profitably grown.

I have already alluded to the numerous rivers and small streams, and when I contrast our Clear and Osage creeks, the White and Illinois rivers, some of which take their source from springs which issue a volume of water, of itself sufficient to propel heavy machinery, increased as they are in volume at every step, with descent sufficient to be used successfully as motive power for machinery every mile or two, until they swell into navigable rivers, with the scanty streams which I have lately seen in Massachusetts, caught up by the cunning hand of skill and wealth, and used again and again, never resting for a moment in its native channel, to perform its ceaseless toil as motive power, to wield the sledge or drive the saw, the plane, and the spindle, giving profitable employment to greater numbers of her people than now inhabit a dozen such counties as ours; and when I remember that we have no ice grasp of winter here to hold our streams in check for months, whilst our streams have perpetual flow; that we have to make no weary voyages to bring to us lint for manufacture; that our forests of lumber and mineral already at hand, with a temperate, healthy climate, and exhaustless supplies of food for subsistence, lacking only facilities for transportation to bring into our midst many thousands of enterprising useful people; and in addition to these, the large number of horses, mules, cattle, hogs, and other stock, the merchandise, the manufactured products, and the passage travel the county would furnish taken together, make it an enterprise alike of benefit to us and the capitalists who own the road. These are some of the considerations which should stimulate us to action, and give assurance to capitalists that their investments will be profitable.

I have thus, my fellow citizens, laid before you the results of my mission to Boston, and although not entirely satisfactory, owing to the delays which may arise in procuring a charter, yet I think it is encouraging. I have also endeavored to place before you some of the principal features of the contemplated enterprise, and some of the most obvious arguments in its favor; that a railroad is not only good in itself, but absolutely necessary to the wants of modern civilization; - that it is of easy and cheap construction through our country; the capacity of the country for supporting a railroad; the great inducement it offers to farmers, miners, and manufacturers; that the great mass of the people are the true beneficiaries; and that it will be profitable to the stockholders who may invest their means in its construction.

If in the statement of these concluding arguments I have presented inducements sufficient to cause the intelligent people to reflect, discuss, and act on this important subject, I will be amply rewarded for the efforts I have made in this behalf, and trust, that it may result in unnumbered blessings to our common country.

DAVID WALKER

Having been appointed by the citizens of Benton County to represent their interests in the above contemplated railroad; and to cooperate with the Honorable delegates from Washington County in order to secure its speedy construction by competent and reliable capitalists -- and having reviewed the above report of Hon. David Walker to the citizens of Washington County; which so fully and happily sets forth the labors and result of our mission; and foreshadows the incalculable benefits which will invariably accrue to our common God-favored country, I beg leave to endorse in every item and particular, the above report, and would most respectfully submit it as a report of our united efforts in behalf of the Railroad interests of North West Arkansas, to my fellow citizens of Benton County, who have honored me by their appointment to so responsible an embassy.

A. W. DINSMORE

Not being present when the above report was prepared and submitted, and having since examined it carefully, as one of the Delegates from Washington County, I fully and heartily concur in all its statements and conclusions.

S. K. STONE

Judge Walker then addressed the meeting setting forth and illustrating in a clear and forcible manner the benefits resulting to the people of North Western Arkansas from the completion of the proposed Road.

The report was adopted and on motion of Mr. Hoge 500 copies were ordered printed in pamphlet form. This motion was so amended as to request the papers of Bentonville, Fayetteville, VanBuren and Fort Smith to publish the same.

Hon. John F. Owen of Benton, H. E. McKee of Sebastian, and Judge Hiram Davis of Washington were appointed a Committee on Resolutions, and withdrew for the purpose of preparing the same.

The meeting was then addressed by Mr. Dinsmore, who said we needed immigration to lighten our taxes, and to develop our resources, and that the Rail Road will bring it. If a farmer pays \$500 a year Rail Road tax he would get 50 percent more for what produce he had to sell. The Committee then reported the following Preamble and Resolutions:

Whereas, all efforts heretofore made by the friends of the Arkansas Western Railway Co. to induce the incorporators to comply with the pledges made by them to the Bentonville Convention, and reiterated on repeated occasions since, have signally failed, therefore be it

Resolved: that we the people of Benton, Washington, Crawford and Sebastian counties cannot and will not submit to have a few men interpose obstacles in the way of an enterprise of such vast importance to us and our state.

Resolved: that if the said incorporators still persist, after another effort, in their refusal to comply with pledges so solemnly made, and so honorably confided in, and yet so strangely disregarded, we will then consider ourselves at liberty to ignore their charter, and to take such steps toward procuring a new one as we may deem prudent.

The meeting was then addressed by Hon. J. F. Owen, Col. Wm. Fishback, Judge David Walker and Judge Gregg, after which the Resolutions were unanimously adopted.

Col. J.P. Neal, Gen. N.B. Pearce, Capt. John Vaughn and Capt. G.W.M. Reed were appointed a committee on printing and instructed to solicit subscription from those present, and elsewhere, for the purpose of paying for the printing of Judge Walker's report.

No further business being before the meeting, it adjourned sine die.

THOS. WILSON, Chairman

A. CARALOFF

E. B. MOORE

D. WEBSTER

Secretaries

Fayetteville, Arks.
September 3d, 1875

Mr. R. W. Trimble
Dr Sir

Your letter of the 21st ult., with one from Judge Harrison, came whilst I was from home which caused delay in my answer. I have often thought of the propriety and importance a history of the Territory and State, whilst materials may be had from authentic and reliable sources. I am pleased to learn that you think of writing. Although a stranger to me, Judge H writes in such terms of commendation as to give assurance of your fitness for the undertaking.

It is perhaps best that the impartial historian should not himself have been an active participant in the events of which he may be required to write.

If you determine to commence the History and desire it, I will with pleasure give you such information as I have. When you have collected a mass of material from all available sources, and after due allowance for the influences that may have surrounded your correspondents, you will be enabled to reach the truth and to present it impartially.

It will afford me pleasure to respond to any inquiries supposed to be useful.

Very respectfully

Yours

D. Walker

Little Rock, Arks.
Jan. 15th, 1876

R. W. Trimble

My Dear Sir

Yours of the 26 ult. was received at the time I was preparing to return to court in this city, and an answer delayed. I thank you for the kind offer to mention me in your forthcoming book; the part taken by me in the affairs of the State has been quite humble. I am not ambitious to hold conspicuous place in the State's history, and, whatever it may be, it must not come from me. I could give time, place and circumstance, these I have preserved, with commissions, published speeches, &c. When the old members of the bar found that they were rapidly passing off, at a meeting of several of the most prominent, I was requested to prepare a sketch of the character, standing, and peculiarities of character of the members of the bar, to be read at contemplated meeting, which however, never took place. In anticipation of the meeting, I collected material and commenced writing, but never completed my undertaking.

In Territorial times the members of the bar were located at a few points. At Washington, Hempstead Co., Trimble, Cross, Hubbard, Oden and Ringo (Royston came in soon after). These were the practicing lawyers for all South Arkansas.

Sam Roane in Arkansas County. Ashley, Crittenden, Cummins, Hall, Fowler, Crutchfield and Caldwell, at Little Rock. Sevier was Delegate to Congress. Conway who had been, was killed by Crittenden. Selden, one of the Territorial judges, was killed by Scott, his associate on the bench. Horner, Lucy and some one or two others at Helena. Searcy and Dickinson at Batesville. Hohn Houston, a brother of Sam Houston late of Texas, at Izard. Sneed, Tully, Hogue, Pope and myself at Fayetteville. Brown, Martin and Parrot and Bates at Crawford. Scott in Pope and Linton in Conway were the lawyers of the State.

Johnson, Eskridge and Cross of Hempstead (who went on the bench about the time I came to the Territory) were sole Judges for the Territory. Of these, Cross, possibly Horner, and myself survive. I the only one now connected with the Judicial department.

In the Mind's eyes I see them all, several of them gentlemen of finished educations, and accomplished manners. Of this Bates, Eskridge and Lucy were distinguished. Most of us were what would be called self-made men, of limited education, very poor, ambitious and energetic. Crittenden was confessedly the finest declaimer in the State, Ashley perhaps the most able lawyer. In the formation of the first Constitution, Bates, Dickinson, Lacy, Scott, Brown, Fowler, Royston and myself were Delegates.

But for what do I write, more than the mere pleasure of recurring to the events of early manhood. You will find more ample and more accurate information than I can give.

Recurring again to your proposal that I furnish you my autobiography and photograph, I will say that I will give you dates and facts from which you may draw your own conclusions or it may be that my friend, Hon. H. Davis, who is eminently qualified will prepare it for you. You can indicate your preference. I had a photograph taken recently from which a full size portrait is being painted at Philadelphia, said to be a good one. I will endeavor to secure a copy for you.

D Walker

(Judge Hiram Davis to Judge David Walker
in re material for Trimble's history)

Office of Walker & Dinsmore
Attorneys and Counselors at Law

Fayetteville, Ark. Feb. 7, 1876

I have received both yr. letters and beg you will not consider me wanting in duty and proper respect for you in not replying to them sooner. I have been greatly afflicted with cold and rheumatic symptoms prevalent here this winter, to such a degree I have not had more than one idea at a time and that not a very clear one.

I highly approve the undertaking of Mr. Trimble. The facts of our History should be carefully collected and permanently placed on record before they quite fade from the memory of the living actors. If Mr. T. be competent to write a trustworthy and instructive narrative of the history and biography, the manners and customs of our State and people he should be assisted and encouraged by every one wishing well to his Country. Of his capacity to write an entertaining and instructive History of the State you are doubtless informed, and any other kind of work will be a disastrous failure.

I can perceive no impropriety in your furnishing Mr. Trimble a full narrative of the leading incidents of your life and the part you have taken in public affairs, giving him authority to select such parts as he may think pertinent to his narrative, and to clothe in such diction as will conform to the style and general character of his undertaking. The great Dr. Johnson furnished the facts and incidents of his own life to Mr. Boswell, and forms the groundwork of the most instructive and entertaining biographical work to be met with in the whole range of English literature. Lord Byron did the same, and many more distinguished names might be mentioned who have not scrupled to furnish a history of their lives for the benefit of their biographers.

You will remember Dr. Franklin says "Autobiography is the most reliable and satisfactory of all historical writing because the author speaks of facts of which he is personally cognizant." However, if you think otherwise and so desire it, send to me, or if you can wait so long, bring it when you come home, a narrative of the leading incidents of your life which you would not object to being known to the public and I will examine it and give it such correction, revision and criticism as can proceed from a friendly hand only. Should you then approve it, I will communicate the manuscript to Mr. Trimble, and you need not be known in the matter unless you so desire it. I merely make the suggestion. If it does not meet your view, I submit to your better judgment and hold myself at all times in readiness to aid you in any way that a man can serve his best friend.

I send you authority from the County Treasurer for the Bonds of the State due the County on account of the University. Be so kind as to procure them and bring them up with you. I presume they should be placed in the custody of the Treasurer of the Institution who is legal custodian of its funds. Boon's securities are unwilling for him to incur the responsibility.

Miss Letitia McKissick died on yesterday of consumption and I must quit to attend burial at one o'clock. Health generally good. No news of interest. I suppose your family keep you informed as to home matters. When will you be with us?

Sincerely your friend,
H. Davis

(Judge Walker to R. W. Trimble)

Little Rock, Ark.
February 18th, 1876

Dear Sir

Herewith I send you a letter from my friend Davis, I suppose he will write something to the purpose, of course subject to your revision, or correction in any way.

I wish you knew Judge Davis. He has a most thorough knowledge of the habits and peculiarities of the Territorial inhabitants. He can express more in fewer words than anyone of my acquaintance.

I had hope to meet with you. I very much wish you success and aid you if I can.

Respectfully yours
D Walker

To
R. W. Trimble
Pine Bluff

Little Rock, Arks.
May 22 / 76

Dear Sir:

I send you a brief outline of my life and services in Arkansas. You can use it if you choose in any way.

I requested my old friend Davis to confine himself to facts.

You must not overlook in your history "Mark Bean", the most remarkable man in Territorial times. Have you a sketch of his life. Will you allow me to give you facts and incidents.

Truly
D Walker

To
Rev. Trimble
Pine Bluff

(Editor's note: "The Biography of Judge David Walker " written by his friend, Judge Hiram Davis, and sent to the Rev. R.W.Trimble, was published by the Washington County Historical Society in the August 1955 issue of: FLASHBACK (Volume V Number 4).)

FAYETTEVILLE ARKANSAS
June 8, 1876

Dear Sir,

Your letter has been received. There have been but few events in my life's history sufficiently marked to deserve a place in the state's history. My friend Judge Davis would have taken a wider range, but was admonished by me to keep clear of the region of fancy. There were sketches of incidents which might interest you and deserve some brief notice as part of the state's history, in which I have been an actor, but they were destroyed during the war, with my library "Burned" during the war, I could not reproduce them now.

I have a few old copies of letters and a correspondence, at the time of the Convention of 1861 was reconvened immediately before the act of secession was passed, which may serve to give more just conceptions of the Territorial (terrible?) times, and subsequently with the circumstances connected with secession. I was president of Secession Convention, and as such a mass of correspondence was addressed to me. I was required by the Convention to open a correspondence with the governors of all the states, and did so. I have the answers of the governors. I have also the printed and written appeal to me to recall the convention that an act of secession might be passed. The appeal to me was irrespective of party and made by the prominent men of the whole state. It is perhaps proper that these should be placed at your disposal.

I never prepared a written address upon any subject, but upon all occasions gave utterance to thoughts impromptu, the consequence is that some of the best efforts, at the bar and in political discussions, were lost. By request I wrote out a reply to Senator Sevier, which was published by my friends. I have but one copy of it in a bound scrap-book in which I have preserved the political platforms and addresses of both political parties, state and national, together with some of the best "puffs" I ever got from the press. If I could get the book to you and you would be sure to keep it for your own eyes I believe I would send it to you.

As it is I will look up the secession correspondence and send it to you. It will show how earnest the State was in using all available means consistent with honor, to preserve the Union.

I am in very poor health and although I have made some preparedness to be at Philadelphia on the 4th July I am not very hopeful of being able to go.

Yours truly
D Walker

R. W. Trimble

(Judge Walker to R. W. Trimble)

Fayetteville Ark
July 5th, 1876

Dear Sir:

Your letter of June was received. I thank you for the interest you manifest in the place I shall occupy in the State's history. Herewith you will find several letters and a series of resolutions prepared by myself and published, together with others addressed to me urging the call of a convention. They serve to show my true political feelings, and the motives which influenced my action in re-convening the convention. Disastrous as the result has proven to be, there is nothing connected with my political history either before, during, or since the late revolution which I desire to conceal or would change if permitted to do so. I acted all the while under strong convictions of right and duty.

If my mind has at any time undergone a change with regard to the powers of the National Government, and of the reserved rights of the States under it, it has been in favor of maintaining all of the rights of the States unimpaired. The tendency of the National Government, particularly since the late war, has been to consolidation and should at the earliest possible moment be arrested.

You will also find commissions, license, and some other papers which will aid you in fixing dates. You request me to refer to what I consider the most important opinions delivered by myself; it becomes me to say but little with regard to them. Mr. Foote, the historian of the "Southern and Western Bar", published during the present year, has been pleased to refer to my standing as a judge; perhaps it may not be amiss for me to say that the dissenting opinion delivered by me in the case of *Borden et al vs State use &c*, published in 6 English Rep. p. 553, may be considered among the most important delivered in our Court and although a majority of the Court was against me, the first legislature that assembled after it was delivered passed an act sustaining the position assumed in the dissenting opinion, which in effect made that decision the law of the land. The case of *Meux vs Anthony et al* 6 Eng. 411 has been maintained and relied upon as authority as settling very important equitable principles.

The case of *Hawkins vs Filkins* decided at the December term 1866 is perhaps the most important case ever decided in the State, turned upon great constitutional questions growing out of the Act of Secession; the case was novel and without precedent and was to some extent the pioneer case decided in the seceded states. It is true the authority of the case was for a time questioned by the Supreme Court of the United States, as well as by the Radical Judges of this State, but it is with satisfaction we find that the Supreme Court of the United States in their later decisions fully recognize the correctness of the principles of law laid down in this decision, and leaves it the recognized leading authority upon the subject of the rights of the States, and the validity of their acts after secession.

There is another decision, the *St. Louis Iron Mountain and Southern Rail Road Company vs Jackson County*. The question was of vital importance to the State. The corporation assumed that the lands granted by Congress to the State to aid in the construction of the road was by

the terms of the charter forever exempt from taxation, whilst on the other hand the State contended that after the completion of the road and a confirmation of the title to the lands in the company, the land became liable to taxation according to its value, as other real estate. The opinion held the land liable to taxation. An appeal has been taken to the Supreme Court of the United States and I venture to predict that our opinion will be affirmed. Please remember however that it is not safe to make reference to that opinion as authority until it has passed that ordeal.

I have been confined to my bed for some time from sickness, or I should have answered your letter more promptly. Please excuse this rambling reference. It is dictated upon a sick bed and written by my son.

Your Obedt Servt
D Walker

Rev. R. W. Trimble
Pine Bluff, Ark.

(The above letter is not in Judge Walker's handwriting.)

Fayetteville, Ark
Sept 6th, 1876

R. W. Trimble
My Dear Sir

You are probably aware that I have been appointed by the Governor, to deliver a Centennial address, which I contemplate doing on the 15th October next.

It will be expected of me to make reference to the earlier history of the country, dating back to its earliest settlements. You are writing a history of the State, which must cover this whole ground. I have collected much data from which to draw; but as I am to precede you upon a few points of history, I desire to be accurate, and at the same time not to clash with our full and well matured history, such as I am confident yours will be.

To avoid this, I wish (if you please) to be informed as to several matters of which both are expected to speak and that I may as far as possible harmonise with you, and gain such information as may be more reliable than I have before me. I propose the following interrogatories:

1st What was the first Territorial limits of Arkansas Territory on the West,

2d What number of counties were there in the Territory when Missouri was formed into a state government, and what were their names,

3d what was the population at that time,

4th What the assessed value of the property of the Territory,

5th The first seat of government was at the "Post of Arkansas". When did the first Legislature assemble, who was Governor and Secretary of State, who first president of the Senate and Speaker of the House of Representatives, who the Territorial Judges, and who their successors under Territorial government. At what time was the seat of government changed from the Post to Little Rock.

6th What Indian tribes resided in the Territory when it was organized, and where. And when were the Cherokees and Chocktaws settled in Arkansas. The line extended North of the Arks River from Point Remove on the River to a point just above Batesville on White River, and between these two Rivers West to a line commencing at the mouth of "Frog Bayou" on the Arkansas North to the Missouri line. The line was called by the early settlers "Brown's line". Did not the Indians also at the outset settle on the south side of the River. I well remember the Indian old fields near Dardinell and my impression is that as a matter of convenience, they were all ordered on the North side of the River. If so, when was that done. Whilst the Indians occupied this country there was a tract of country purchased by one "Lovely" from the Osage Indians, who were the original occupants of the Western Territory extending from Brown's line (if I am not mistaken) West. Who was "Lovely". What were the limits of his purchase, when Lovely County established, and what was its limits.

DeSoto passed into this Territory in 1541 at the Chickasaw Bluffs (now Memphis), exploring the country for minerals. What traces of his tour exist. LaSalle in 1682 claiming to have discovered the mouth of the Mississippi took formal possession of the valley of the Mississippi in the name of the French Government, and various trading posts were established on both sides of the River. Was not the Post of Arkansas, and Helena, French trading posts. If so, when were they settled? Were there any other French settlements within the limits of this State?

What is your estimate of the present population of the State, white and colored, and the proportion of each?

What the amount of land in cultivation and of the staple products, how much cultivated of each, at this time.

Well, I have asked enough, in all conscience. Will you be troubled to answer, and soon, as I have not more than time to prepare. Your doing so may enable me to be more accurate and more in accordance with your history. I have written in great haste and carelessly. Pardon me for having done so.

I send a photograph herewith.

With great respect
Yours
D. Walker

P.S. Is there evidence of the occupation of the country by civilized inhabitants, prior to the DeSoto entrance into it?

W

Little Rock, Ark.
Nov. 26th, 1876

Mr. Robert W. Trimble,

My Dear Sir

I am at a loss how suitably to apologize to you for not having written to you sooner, or suitably to express my deep obligations for the valuable (indeed indispensable) information which you gave me when collecting materials for the very clumsy address at the Centennial, a copy of which I inclose, although confident you have long since received one from the Governor, who had some hundreds printed for distribution.

My health was bad when at Philadelphia, and I went there with the intention of delivering an extemporaneous address, which accorded with long habit, but found myself too unwell to do so.

The address touched more upon the history of the State than I could have wished, but really I was limited to that or nothing.

It can at best serve but a temporary purpose, and by its meager details will whet the public appetite to seek for something more extensive. I feel confident your history will meet this public want, and you may count with confidence upon whatever aid it may be in my power to give you. I am here for the winter and hope to meet you.

Yours truly
D Walker

Fayetteville, Ark.
March 31st, 1877

R. W. Trimble.
Dear Sir

Your letter of 22d inst. has been received. I very much regret the action of the Legislature, was fearful of a failure. The proposition, if made directly to aid in the printing of a History of Arkansas would have met my more hearty approval. The State must contribute, as a State enterprise, and individual citizens must also come to the front at any time. When there is prospect of a general move, I will cheerfully unite.

I expect to be at the Rock next week to resume Court duties, and will see the Governor in person -- about your appointment as Visitor. You will enlarge your acquaintance with the country and its people and write from actual observation.

Bishop Pearce has been with us for some days. It has been a love feast for the members of his church.

Very truly
D Walker

Office of the
Clerk of the Supreme Court
of the
State of Arkansas

Little Rock, 5th May, 1877

Rev. R. W. Trimble.

According to your request I saw Gov. Miller in regard to your appointment as one of the visitors to the University and have his positive assurance that you shall be appointed. I told him I thought you would accept and I think he will desire to be assured of the fact, as he desires a full board.

If you should choose to do so, you can address to me a note signifying your willingness to accept, and I will attend to it for you.

I shall be very glad to have you at our mountain home. It will afford you an opportunity without expense to see much of the country of which you are writing and me the pleasure of showing it to you.

Very truly

D. Walker

20th May '77

Rev. R. W. Trimble

Dr Sir I saw the governor. You will get the appointment. Hold yourself in readiness to go. I leave here about the 15th June. Why not go up with me. You shall have a place in my carriage from Alma. What do you say, -- say yes, and let me know. Go up with me. But you must never hint to the natives that you have ever seen the foot of a "five-toed horse".

Truly yours

D. Walker

Little Rock, Ark.
Dec. 10th, 1877

R. W. Trimble

Dear Sir

I write to request that you will please include to me the pamphlet sheets of the reply made by me to Senator A. H. Sevier on the question of the sale of certain State Bonds.

I desire to make reference to it this week and hope you will send it at your earliest convenience. If you wish, I can return it to you.

How does your History progress. I hope you will soon get it out, and if I can do anything to aid you, I will do so. I have great confidence that you will make a valuable History. Indeed, am confident you will, and that you have bestowed research and care in getting materials, and have collected such as no one else ever will bring to notice. I should be glad to see it all, except the "Big bones" of the toed-horse.

Excuse this pleasantry and believe me, very truly
Yours

D Walker

Please send the address by early mail. W.

Little Rock,
Feby 8th 1878

R. W. Trimble
Dear Sir

I hope you will be able to get out your book. The publishers need have no fear that the work will not sell.

You suggest that the friends of the enterprise give you \$1500 aid or assurance of it when the work gets to press. Accept this as my pledge to advance for you \$100 of this amount. I cannot doubt that twenty or more will assume like responsibility.

There are one or two of the old settlers of the State, such as Mark Bean of Washington Co. and Richard Searcy of Batesville, both long since dead, who deserve to be mentioned in your history.

I should have answered you sooner but have been confined to my bed, and now am only able to write a few lines to you.

I will write again and more at length when I feel better than I do today.

Truly yours
D. Walker

Miscellaneous Items

from the

DAVID WALKER COLLECTION

(Judge David Walker to his brother-in-law, James Pope, in Batesville, Ark. Pope was the husband of Judge Walker's sister Margaret.)

Little Rock 6th Jany 1844

My Dear Sir

I have been here attending the Supreme Court for several days, and do not know when it will be in my power to get off. I suppose there will be a very large meeting here as I learn from all quarters that delegates have been selected. I am strongly solicited to become a candidate for Congress. This should not be. I am not visionary and speculative enough not to see that immense toil, unprecedented abuse, a most probably ultimate defeat will attend the nomination. All this I could stand if my friends deemed it right to make the sacrifice.

But here is the rub, is it right that I who have made a living at the Law should betake myself to the beggarly calling of an office hunter for support. This distresses me and I do assure you that I ought not to receive nor accept the nomination although it would be the highest compliment ever paid me. You may have it in your power to aid in directing the mind of our Batesville friends to Trapnall. He is a good debater and will make a good race.

A small fish at Van Buren who wants to take Turner's place in Law is making his cuts at me. I believe he is my best friend. I hope he may succeed at least so far as to direct the convention to some other nominee. If nominated it is probable I will run and just as probable I shall be beat.

All are well. My love to Margaret.

Yours truly

D. Walker

(Letter to Judge Walker
from a committee of the
Whig State Convention.)

Little Rock, January 16th, 1844

Sir:

The undersigned, a Committee appointed for the purpose by the Whig State Convention, now in session at this place, have the satisfaction of informing you that you have been this day nominated, unanimously, as candidate to represent Arkansas in the next Congress of the United States.

Knowing your high regard for the wishes of the people, your firm adherence to the will of your constituents in time past, and your long devotion to the Whig cause -- which is the cause of the people, of the Constitution, and of Liberty -- great as the personal sacrifice may be, the Convention and the Committee will not permit themselves to doubt your acceptance of the responsible trust thus committed to your charge. And we are further authorized to assure you, that under the banner of Henry Clay, a safely constituted United States Bank, a discriminating Tariff for Revenue, an equipable distribution of the sales of the public lands, and reformation of abuses in the administration of the government, you will find a cordial and untiring support throughout the State.

We are, Sir, with high considerations of regard,

Your Ob'd Serv'ts

A. Fowler

J. Ringgold

Wm. H. Etter

F. W. Trapnall

Jno. Henry

David Walker, Esquire,
Fayetteville

(Letter to Judge Walker
from C.C. Danley, editor
of the Arkansas Gazette)

Little Rock, Dec. 16, 1860

Hon. D. Walker, Dr Sir:

The fanatics and the fools in the legislature, will, very probably, pass a bill calling a State Convention, the object of which is a dissolution of the Union. To this end orders have been issued to all parts of the State to have Disunion candidates on the track immediately upon the passage of the law. To counteract this evil, and to insure that the people of the State shall be truly represented, Union Candidates should be run in every County. At this trying time the Country has a claim on every patriot, and in this view of the subject, I have thought it proper and right to urge you to become a candidate for the Convention in Washington County. There are now but two parties -- the Union and the Disunion, - and a combination could be made with Union men of Democratic antecedents by which you could easily be elected. I hope to see you in the Convention from Washington County, Dr. Gibson from Pulaski, Thomasson from Crawford, Spring from Sebastian, Adams from Phillips, and Fellows from Ouachita. With such men in the Convention it could not well do any harm, and might do much good.

Can't you have good Union men run for the Convention in the adjoining counties? Write me.

Your friend,

C. C. Danley

Judge Walker's Address to the People of Washington County

April 1861

To the People of Washington County:

Under existing circumstances, I feel it to be my duty to take your advice upon some important questions which will, in all probability, arise for the consideration and action of the convention, now shortly to be convened. Your delegates were elected under a pledge to cooperate with the border slave States in an effort to settle our difficulties with the Northern States upon honorable and just terms, and under no circumstance to vote for an ordinance of secession, unless the same was referred back to you for your rejection or approval. The majority received by myself and colleague was very large, so great as to leave no doubt but that you heartily approved our position. You will see by reference to the journals of the convention that our grievances were defined, our rights asserted by way of instruction to commissioners to be elected to cooperate with the border slave States in an adjustment of the questions at issue between the North and South. Commissioners were elected to meet at Frankfort, Ky., on the 27th of May, and after full consideration it was left to a majority of the voters of the State to say whether they would cooperate with the border States in such a settlement or would secede.

Thus matters stood, and the friends of the Union and cooperation, and of secession, had taken the field upon this issue, when news reached us that the United States troops had not been withdrawn from Fort Sumter, and that in anticipation that supplies, if not also reinforcements, were to be sent, a fight ensued, which resulted in the destruction and evacuation of the fort, since which time has followed a proclamation of the President, calling for troops to retake the forts in the seceded States, and enforce the laws. Amongst other States, Arkansas was called upon to furnish a regiment for that purpose. The reports as to the ground upon which the fight was commenced are contradictory, as well as to the extent of the preparation for a general war, between the slave and free States, but enough is known to leave but little doubt that there is imminent danger of a protracted and deadly civil war. Against the coercion policy of the Government this, as well as the other border slave States, protested, and by a resolution of our convention we declared that we would resist coercion if attempted.

In view of these facts, and after seeking information as well from the border States as to their action, as from citizens of this State, I felt it to be my duty, in obedience to an order for that purpose, to call the convention together, to meet on the 6th of May. The question presented for your consideration is, under existing circumstances, what will you have your delegates do? Shall they adhere to the position taken by them before the election, and which you so unanimously endorsed, or will you expect of them to vote for an unconditional ordinance of secession, which is not to be referred back to you for approval? Do you wish to remain in connection with a government that, if not already at war with a large proportion of the slave States, is threatening and preparing to engage in such a war? Or would you prefer to cut loose from the old confederacy, and free yourselves from all further alliance to it? The effect of this act would be, on the one

hand, to release you from all obligations to the old government, and, on the other, to deprive you of its protection and aid, such as its military defense on our borders, its Federal courts, land office, mail service, etc. Of this you will consider.

But again, will you secede and maintain an independent position, and await some general settlement and cooperation of all the slave States, or will you secede and unite at once with the Confederate States? Should you prefer the former, that is, to maintain an independent position until a government may be formed by the border States in common with the seceded States, and act in concert with them, you will necessarily incur the expense of supporting your own government and of defending it; but should you, on the other hand, prefer to unite with the Confederate States, and make common cause with them, you will necessarily assume the responsibility of furnishing men and money to aid them in the support and defense of their government.

I am induced to call your attention particularly to this matter, because I find a strong if not a prevailing opinion here that in no event should troops be drawn from this portion of the State; that our exposed position in event of secession will demand that the troops in this part of the State should be kept here for our own defense. None should be misled or deceived in this matter. If the State unites with the Southern Confederacy she must necessarily come under obligations to furnish troops to fight at any and all points, at home and abroad, whatever required. And the fact is not to be disguised, that as the northern and western counties have the largest white population, a heavy demand must be made on them. There is but little hope, for a time at least, of a reunion of the States under the old Government, and as the border slave States contain, according to the late census, 2,085,858 more inhabitants than the Confederate States, we can readily see, that should they act together in the establishment of a government, composed of the fifteen slave States, they will have it in their power, in such organization, as far as may be practicable, to protect our rights and promote our interests in common with theirs.

I have thus hastily and imperfectly presented for your consideration the outlines of our present condition, and of the prominent question likely to be considered by the convention. There never was a time when we should act with more prudence than the present; and, as our interests are one, we should, if possible, act as a united people. I desire to know your will, what would you have me do? I hope you will act at once, and can, in conclusion, only pledge myself to obey your instructions, and reflect your will fearlessly and faithfully. I have intentionally omitted a reference to the original cause of our present difficulties, or to those upon whom rests the fearful responsibility of destroying and breaking up our once glorious and happy, but now prostrate and ruined, government. You all know my sentiments. I have endeavored to avert the calamity that is now upon us, with regard to which my mind has undergone no change. But it would be useless and improper to dwell upon the past.

Our duty to ourselves and our country demands all our thoughts and all our energies. Let us look to the present and the future, and do all that we can to save our people from the calamity of civil war and utter ruin. For weal or woe, my destiny is yours.

Your obedient servant,
David Walker

Washington, Ark., Jan. 10th, 1865

Dear Madam

After a very unpleasant ride through the mud, and across swollen streams, we reached this place on the 23rd ult. I had the good fortune to secure an excellent and well furnished room at Mr. Blocks, late a merchant of this place, where I am very comfortably quartered, and blessed with the alternate cries of joy and grief of some half dozen children from 13 to squalling infancy. All of them have the best imaginable lungs and often call them into exercise. You will scarcely believe me when I assure you that after a day spent in the unpleasant duty of hearing public grievances and of imposing punishments often so terrible in their consequences (perhaps the loss of life and the widowhood of wife and the orphanage of her children) it is a relief, a blessing to close the day with these innocents, to hear their merry prattle, and to see the tear and the smile together on the same cheek. Would to God that such could be the case with the disconsolate mothers and children whose situations are too hopelessly miserable to be described.

I very often think of the kindness shown me by Mr. Matlock and yourself and trust that the consciousness that you gave a homeless exile a home and made him comfortable, will afford you pleasure as lasting as it will be most gratefully remembered by its recipient. I sometimes feel that if it were not for occasional manifestations of kindness and generosity, I should doubt that such really existed. I suppose by this time my little friend Mary has reached her fathers without accident. The roads were in terrible condition. Our waggon was twice turned over. Once in crossing water, the contents of our trunks were well soaked. The verses written for Mary and which you esteemed worthy to be preserved (which by the way was quite a compliment) were written under the impulse of the moment, and were so imperfect that I have corrected a few of the most palpable imperfections, and made some additions which I hope you will agree with me in considering an improvement. Please forward them to Mary with my good wishes.

I was an invited guest and attended a small party given to Gen. Price and staff upon his arrival here. It was my first appearance upon a festive occasion since this war commenced; upon my entrance I felt very much out of place, a very awkward diffident, young gentleman, you know. This was manifest to every one or at least I thought so, which brought to my relief a very benevolent lady, the wife of an officer, whose very easy manners and great good humor put me quite at ease, and I spent a most agreeable evening. I do wish the world was full of just such ladies. Then another Milton might come forth and describe a new paradise. Parties are frequently given, I fear too much for the public good or private morals. Gen. Price has gone on a visit to his family in Texas. We have no apprehension of an advance of the enemy this winter; perhaps next spring some more will be made upon us. Please remember me to your Father. I often think of him. How will he get on without May. And to Mr. Matlock also.

With sincere respect, Truly yours
D. Walker

(Mrs. Matlock to Judge (Colonel) Walker)

Camden Jan. 25th 1865

To Hon. David Walker
Dear Friend

My repeated inquiries as to your fate since you left us, of persons visiting Washington from this place, have been satisfactorily answered by yourself, in your pleasant letter which was sent me today. I congratulate you most heartily upon your good fortune, and trust you may be allowed the possession of your present comforts during the winter at least.

I also give you joy of your increased delights over our very quiet household, in the half dozen children, whom I should think could keep noise enough to make your court room a relief -- thus pleasantly alternating the case-laden hours. And you have really taken a little recreation from your arduous duties and allowed yourself to be enticed into some of the gaiety surrounding you. I shall think it really true, that the pleasure-seeking contagion has extended to all ages and conditions there -- when my sober friend, who ignored every thing of the sort in Camden, has really attended a party in Washington. But you are none the worse for it I am sure, and had the pleasure of drawing out a fine trait in the character of the lady who so kindly came to your relief, in what you describe as the painful gaucherie of the bashful "young gentleman" in an unaccustomed scene.

It is in such reunions that the most amiable and agreeable qualities of the heart are called into exercise; and they little deserve the sweeping opprobrium with which some puritanical people condemn all such merry-makings. Yet every enjoyment can have its excess and it is only in this that anything -- harmless in itself -- which maketh glad the heart of man can be sinful.

My little May spent a happy Christmas with her little brothers and sisters -- the sounds of mirth and gladness soon to be followed alas by those of mourning and lamentation for the departure of a sweet little sister from that happy band ne'er to return. The grief which came so crushing to older hearts, was to Mary's however, almost a mystery.

"The tear down childhood's cheek that flows
Is like the tear-drop on the rose --
When next the summer breeze comes by
And wafts the bush -- the flower is dry."

And so it should be. If the heart were capable of feeling all of ill which may befall it from its earliest to its latest years, life would be one unvaried scene of sadness to most of us. I will forward by to-morrow's post, your sweet and appropriate verses to May -- and doubt not when a few more years shall have passed over her, she will appreciate and prize their beauty, and the kind heart which prompted them -- tho' the memory of the writer may have passed from her, like all the fleeting impressions of early childhood.

If the tone of my letter seems sad to you, attribute it to my moping alone for a week, Mr. Matlock having gone on his Texas trip, and Pa being confined to bed with a return of strange and alarming attacks from which he suffered last winter. I say alarming -- they would indeed be so, had I not often seen them pass off in the course of a day or more leaving him in his usual health. Physicians say the attacks resemble apoplexy in their symptoms. The brain is much involved, shown by an inability to concentrate the thoughts and express what he would say coherently. I sometimes fear they are the precursor of a still more dreadful malady -- even the loss of reason. But my heart shrinks from the contemplation of so dire a calamity.

The new year has brought us more cheering political news -- in bona fide foreign intervention, and our recognition after a certain time as a separate nationality, in which Mr. Lincoln has no part or sway. It would seem to be a sensible view for England and France to take of the question at this crisis, and a comfortable one for us even to be colonies of either -- compared with our ever again having ourselves identified with Federal government. I suppose, however, if the news be true our condition will not be affected by it for some time -- and the war will rage with redoubled fury during the coming campaign.

We are so firmly impressed with the belief that Arkansas will necessarily be abandoned, we have made up our minds to remove to Texas some time during the spring. Mr. M. will decide upon a location during his present visit there, and I can hardly hope for his return before March. In the meantime, it may be, many things will occur in these unstable times, to frustrate his plans. In any case I shall be content if it is not my ill-fortune to be left within Federal lines. That is my greatest abhorrence -- and now with the so-called tyrant Reynolds to rule over us our condition would be too deplorable.

The weather is bitter cold. For nearly three days the snow has lain beneath a bright sun and still remains cold and defiant under his beams. But this will be our last cold snap. Soon we shall see the bursting fruit buds and all other indications of a return of spring-time. And now, my friend, lest I should tire you with length and want of interesting matter, let me close with the hope that your first letter will not be the last, and assurances of my friendly regard and esteem for you. Pa desires to you kind and grateful remembrances.

Believe me

Sincerely your friend

J. L. Matlock

(An honor for Judge Walker from
Washington and Lee University)

W. & L. U.
Lexington, Va.,
Nov. 13, 1875

Honr. David Walker,
Fayetteville, Ark.

Dear Sir:

The members of the Washington Literary Society of this institution, in recognition of your personal worth, public service, and literary attainments, have unanimously elected you a member of their body. I am authorized to inform you of the fact and to request you in the name of the Society to accept this tribute of our esteem and allow us to place your name on our roll.

I am, Sir, with great respect

Your Ob't Serv't,
Wm. P. McCorkle,
Cor.Secty., W.L.S.

Little Rock, Ark.
Dec. 11th, 1875

W. P. McCorkle
Cor. Sec. W.L.S.

Dear Sir

Your highly complimentary letter of the 13th ult. was addressed to me at my residence, Fayetteville, Ark., and has been recently forwarded to me at this city, where I have been for several months engaged in court duties.

Please accept this as my apology for this long delayed acknowledgement of the honor conferred by the Washington Literary Society (which as secretary you represent) by electing me one of its members. The honor thus conferred was unexpected, and my claims to such distinction slight. I too highly appreciate the offer of your society to enroll my name with those of the distinguished men of my day, to decline accepting it.

In tendering to you my thanks for the very complimentary terms in which you have been pleased to inform me of my election, I beg leave to assure you, and through you the members of your society, that however humble and unimportant my position may be, my name shall be stained by no act which will reflect discredit upon your Society or upon those with which it is enrolled.

Very truly
David Walker

Fayetteville Ark
Decr 2d 1878

Gen. Carnahan.
Dr Sir

When I last saw you, you made several inquiries in regard to special levy of a tax to pay judgments on script, and also in regard to the validity of University tax.

I was at the time of your inquiry too unwell to give you satisfactory answers to these questions. Since then I have turned to several decisions which have a direct bearing upon the levy of a tax to pay judgments on bonds as well as on script, which I send you. I have also read several newspaper arguments, I suppose written by Col. Gregg.

The general proposition laid down, that the Law which was in force at the time the contract was made, enters into the contract (as you will see remarked by Judge "Caldwell") is correct, and no subsequent Law or provision of a Constitution can impair such contract.

The spirit of the Constitutional provision is, that the parties contracting shall have just what was intended, between them, and all of the law bearing upon the contract at the time it was made, are to be taken into consideration in reaching a fair conclusion. At the time the script was issued the party who received it (and of course one whom it afterwards passed) knew that the County had no property, that her only means of payment was the taxes assessed, collected, and paid over to the County Treasurer, to be paid out in satisfaction of the oldest script issued and outstanding. This was the kind of pay and this the only manner of getting pay known to the law. It was therefore a part of his contract and the party holding the script has no right to sue, get judgment, and collect as he would if this had been an ordinary debt. This view of the case is not in conflict with the decision of Judge Caldwell because that was a suit upon a bond, a contract to pay so much money with interest and provided a specific mode of collecting, and even in this case, I think the Supreme Court of the United States has gone further than is warranted by requiring the money when collected to be in Green Backs and paid over directly into that Court.

You will see that the decision of our own Court takes up the script case and disposes of it. There should be no more special levy to pay such judgments. I think it too late to reach the University tax.

Yours truly
D. Walker

P.S. I opposed the levy of the tax, refused to speak in favor of voting for it, because I thought it wrong in principle. W.

You will observe on the other sheet that I closed without giving the reason which induced me to reach my conclusion. The question is one of much importance and my health is not such as would justify my reference to authorities.

I said it was too late now to raise the questions which lay behind the regularity of the levy. All such questions should have been raised when the commissioner's report was presented. At that time we could do nothing because a large number of the Trustees were members of the Supreme Court and any pro(posit)ion to investigate the case would have been overruled. The County Court then adopted and accepted the proceeding as valid and binding, and by its action the county ~~is~~ estopped from denying the validity of the proceeding.

I am confident that the time has passed for investigating the regularity of the proceedings. The tax is not uniform and equal (in benefit) upon the people of the county. It was for that reason, and because I am dead out against the use of County or State bonds for any purpose, that I opposed it.

Yours
D Walker

Obituary

of

JUDGE DAVID WALKER

from the

Arkansas Democrat,

Little Rock,

November 8, 1879

(From the Arkansas Democrat,
Little Rock, November 8, 1879)

THE LATE JUDGE WALKER

The following brief sketch of the life and public services of the late Judge David Walker may prove of interest to his many friends and admirers throughout the State.

David Walker was born near Elkton, in Todd, then Christian County, Kentucky, on the 11th of January, 1806. In the year 1808 his father removed to Logan County and settled a new place. Here in 1811, when only five years of age, he began school, and so rapid was his progress in his studies that in less than a year he had learned to read with ease. In his early childhood he was remarkable for his retentive memory and was the foremost declaimer among his little school fellows.

His teacher, an old bachelor, warmly attached to his little pupil, and predicting for him a bright future, on quitting the neighborhood, made a deed to a tract of 400 acres of land to be applied to the education of his favorite scholar. The land was poor and afterwards sold for a small sum, but the expectations of the old school master as to the future of his favorite pupil were fully realized.

In the year 1812, during the second war with Great Britain, the father of young Walker, who was a tobacco planter, was greatly embarrassed in his pecuniary affairs by reason of the blockade. In writing of this period he describes it as a time of severe hardships and trials to the farmers of Kentucky.

One disaster followed another, and his father, in greatly reduced circumstances, was at length compelled to give up his farm. In 1817 the family removed to Scottsville, in Allen County, where his father began the practice of law. Here, again, David had for a short season the advantages of a school. In 1820 the family removed to Edwardsville, Ill., the father having been chosen a director in the Edwardsville bank. The bank failing in a short time and other reverses following, his father was again greatly reduced in circumstances. Writing of this period of his early life and recounting its hardships, he says: "I milked the cows, got all the wood, helped to wash, went to mill and worked regularly in the field — hard work enough in that cold, open country."

Here he made his first money by selling vegetables from the garden, raised by his own labor. The money thus made was carefully expended for clothing for himself and other members of the family. In his sixteenth year his father removed to Howard County, Mo. Here, as in Illinois, our young hero had much severe manual labor to perform. He built a log house, hewed the puncheons for the floor and made the chimney. In speaking of the work performed during his stay in Missouri, he says: "That fall I hired out and took my pay in potatoes, which I carried home on my back at night, a bushel of potatoes being allowed for a day's work."

In the winter of 1824, dissatisfied with Missouri, the family returned to Scottsville, Kentucky. The gift of a couple of negro men from his grandmother to his mother, somewhat lightened his heavy labor

at this time, but he still continued to work regularly on the farm, finding time to read however several valuable books, among which he mentions Hume's History of England. In 1825 he went to school for the last time, having been deprived of such advantages for a period of six years. During his eight months of school, his progress was very rapid. Writing of the close of his school days, and regretting his want of a more liberal education, he says: "I had not education for a profession, no money upon which to support myself, no property, present or in expectancy, in short, I had nothing but a will, a strong determined will to rise above every obstacle that confronted me."

It was this will, this indomitable energy, that afterwards crowned his life with success. After leaving school he wrote for some time in the clerk's office as a deputy under his uncle, and then for a short season performed the duties of deputy sheriff. Then for two years he applied himself with great diligence to the study of law, at the end of which time he was admitted to the bar. After practicing a short time in Kentucky with fair success, he concluded to seek a new field and finally settled upon Arkansas.

Armed with letters of introduction to Robert Crittenden and Governor John Pope, he began his journey on the 20th of September and arrived in Little Rock on the 10th of October, 1830. He was examined in the law by Judges Cross and Johnson of the Territorial Court, and admitted to the bar of Arkansas, and soon after left for Fayetteville. He at once took high rank as a lawyer. The first office held by him was that of Prosecuting Attorney, to which position he was elected in 1832. In 1834 he was re-elected to the same position, and in 1835 served in the Territorial Legislature. When the Convention met in 1836 to frame a State Constitution, Judge Walker appeared as a delegate from Washington County, and took a leading part in the deliberation of that body. Among the many distinguished men who assisted in framing that Constitution, Gen. G. D. Royston of Hempstead is the only survivor.

After the formation of our State Government in 1836, Judge Walker was appointed a Presidential Elector for Hugh L. White, who ran against Martin Van Buren. In this contest he led a forlorn hope but with all his characteristic zeal and energy, bore the old Whig banner throughout the fierce struggle, winning golden opinions from friends and foes. From the fall of 1836 to 1840 Judge Walker devoted himself closely to the practice of his profession. In the latter year he was elected State Senator. In 1844 he ran against Gov. Archibald Yell for Congress and after a sharp and spirited contest was defeated. He was elected to the Supreme Bench in 1848 by a Democratic Legislature, and served till 1855, when he resigned.

In the exciting Presidential contest of 1860 he was a warm supporter of Bell and Everett, and canvassed quite extensively in their interest. When the convention of 1860 met, that at a called session in the spring of 1861 passed the ordinance of secession, Judge Walker was elected its President. During the war he served on the military court of Price's army, being associated with ex-Senator Truett Polk of Missouri, and the late Judge George C. Watkins of this city. After the surrender of the Confederate forces he returned to his home at Fayetteville and with all his old-time energy and determination began the work of rebuilding his shattered fortunes.

In 1866 he was elected Chief Justice of the Supreme Court which position he held till removed by reconstruction in 1868. After the adoption of the constitution of 1874 he was again elected to the Supreme Bench and held the position till the spring of 1878 when failing health and growing infirmities compelled him to resign.

After his resignation in the spring of 1878, he was greatly afflicted, so much so that his life was frequently despaired of. A naturally vigorous and robust constitution, however, enabled him to rally, and his many friends were encouraged to hope that he would be spared for several years, when the unfortunate accident occurred which caused his death. Visiting the Washington County Fair on Wednesday, September 24, he was thrown from his buggy, and from the effects of the fall died on the following Tuesday, September 30.

Of his immediate family Judge Walker leaves five children, two daughters, the wife of United States Senator Walker, and Mrs. Buckner of Fayetteville, Mr. E. H. Walker of Ozark, C. W. Walker Esq. and David Walker Jr., of Fayetteville. His wife died in 1847. His eldest son, a brave and gallant officer of the Confederate army, Capt. J. W. Walker, was killed at the Battle of Jenkins Ferry.

During his long life in Arkansas, covering a period of nearly fifty years, no man exerted a wider influence on the people, or was called more frequently to serve them in positions of honor and trust. A complete biography of Judge Walker, during his forty-nine years residence in Arkansas, would be a very good history of the State, so closely was he identified for that long period with public affairs. In public as in private life he was above the breath of suspicion. Identified with a political party always in the minority, he was three times elevated to the Supreme Bench, once as Chief Justice, simply by reason of his profound knowledge of the law, and the confidence reposed in him by the entire people irrespective of party. As a great party leader he combined all those high qualities which command respect and esteem. His love of work was proverbial. In this respect his life is a model and an example for every young man in Arkansas. Arriving in the state with only two dollars and a half, by persevering labor and by close attention to his business, he accumulated a handsome fortune, much of which was lost by the disasters of the war. And yet no man was more charitable to the poor and needy. Many a poor friendless youth struggling for an education, has been the beneficiary of his kindness and protection. Some of these, who but for his generous assistance would have given up the struggle, have since achieved eminence and distinction in their several professions. One of the last acts of his life was the donation of a liberal supply of breadstuffs to the poor of the Ladies' Benevolent Hospital at this place.

He never sacrificed his convictions or trimmed to the prevailing gale. A Whig in politics while a boy in Kentucky he stood by his party in Arkansas through successive years of defeat and disaster, and with Fowler, Trapnall, Noland, Pike, Newton, Jesse Turner and other grand old chieftains of the party, most of whom have preceded him to the grave, he became a leader whose heroic devotion to his principles won for him the admiration and respect of all parties.

Many a time while defending with fervid eloquence the principles and policies of his party have we heard him repeat the grand utterance of Clay: "I would rather be right than President."

A GREAT LAWYER, AN UPRIGHT JUDGE, AN EMINENT CITIZEN HAS GONE. CON-
SPICUOUS IN HIS SERVICES TO THE STATE AND TO SOCIETY THROUGH A LONG
AND EVENTFUL PERIOD HE LEAVES TO HIS CHILDREN THE PRICELESS HERITAGE
OF AN UNSULLIED NAME. THE PEOPLE WHOM HE SERVED SO LONG AND FAITHFULLY
WILL VENERATE HIS MEMORY IN THE YEARS TO COME AND POINT TO HIS LIFE AS
A MODEL AND AN EXAMPLE FOR MEN WHO HAVE AN AMBITION TO SERVE THE STATE.
FULL OF YEARS AND HONORS HE RESTS FROM HIS LABORS.

Our Immediate Branch

George Walker (father of Jacob Walker). Name of wife unknown. He was Governor and Gunner and had charge of a fort and colonial warehouse at Jamestown, Va., in early colonial days.

His son, Jacob Walker, married Courtnay Tucker of Virginia, and was Justice of the court of Elizabeth City County, Va., in 1723, and Captain of 1st Continental Artillery in 1777. He died Feb. 5, 1778.

George Walker II, son of George Walker above, married Ann Keith. Their daughter Margaret married Thomas Wythe; their son George Wythe was noted Chancellor of Virginia and signer of Declaration of Independence.

Col. George Walker, son of Jacob and Courtnay (Tucker) Walker, married Mary Meade (daughter of David Meade and Susan (Everard) Meade, daughter of Sir Richard Everard and Susan (Kidder)). George Walker was Major in 1777 in Prince Edward Militia; commissioned Lt. Colonel 1779; Colonel 1781. Children of Col. George Walker and Mary Meade Walker:

1. David, born April 13, 1763, in Brunswick County, Va. Died March 1, 1820. Married 1798 Mary Barbour (born 1780; died May 6, 1815).
2. Jacob Wythe, born Sept. 7, 1778; died Dec. 1838. He married Nancy Hawkins, daughter of James Hawkins and Lucy Wyatt of Virginia.
3. John married Sallie Caffery (niece of Mrs. Andrew Jackson). Their daughter Margaret married Wm. Wallace Ralston, first State Treasurer of Missouri. Their son Gen. John G. Walker was Mexican War veteran and Confederate veteran, of Winchester, Va. He married Sophie Baylor, sister of Frances Courtnay Baylor, author.
4. Andrew, married Lucy Minor. Lived in Missouri.
5. Susannah, married Rolfe Eldridge.
6. Margaret, married Temple.
7. Ann, first married Col. Wm. Stith of Virginia; 2nd marriage to John Fisher of Virginia.
8. Lucy, married Baylor.
9. Fanny, married Humphrey Gwynne.
10. George, lawyer and U.S. Senator 1814. Born in Culpeper, Va.; moved to Nicholasville, Ky., where he died in 1819. He married, first, Rachel Caffery; then second, her sister Katherine Caffery. Their son, Joseph Walker, was Governor of Louisiana, where he has a large descendancy.

11. Helen, married William Call. Their son, Richard Keith Call, moved to Florida with General Jackson. He was the father of Senator Wilkinson Call of Florida.

12. (Note by SHW: There was another daughter, Susanna, oldest daughter of Col. George and Mary Meade Walker. Mrs. Threefoot, late of Mobile, Ala., wrote me that she was her great-grandmother. The names above are from my great-grandfather David's Diary 1816-1818 when he went to Congress. Many pages are missing from the Diary and Susanna's name may have been mentioned in some of them. Colonel George Walker never came to Kentucky. He died in Brunswick and of course his children were born in Virginia, though most of them came to Kentucky.)

David Walker, son of Col. George Walker and Mary Meade Walker, was born April 13, 1763, in Culpeper County, Va.; died March 1, 1820, in Washington, D.C., while a Representative in Congress (1817-1820) from Logan County, Ky, where he had moved after serving in the Revolutionary War, first as Sergeant for three years, then was advanced step by step to First Aide of General Scott. He was just out of William and Mary College when he enlisted. He was under LaFayette at Yorktown at the surrender of the British forces. After going to Kentucky he was Major on the staff of Gen. Isaac Shelby in the War of 1812. At the battle of the Thames he was presented by General Shelby with a sword for bravery. This sword is now in possession of his great-great-grandson, Wythe Walker of New York City. David Walker died in Washington and was buried in the Congressional Cemetery there. He was a member of the Kentucky state legislature in 1793-1796. David Walker married Mary Barbour in 1798 (Feb. 14) in the County Of Jarrard, State of Kentucky. She was the daughter of James Barbour of Virginia. Mary Barbour was born in Virginia 1780; died in Kentucky 1815. Children of David Walker and Mary Barbour Walker:

1. James Volney Walker, born 1799, Aug. 6; died Logan County, Ky., August 1855. Married Susan Howard McLean, daughter of Ephraim McLean and Elizabeth Byars, who was born April 3, 1803; died 1854. Ephraim McLean and wife came from Brevard County, North Carolina, to Kentucky. He was an ordained Cumberland Presbyterian minister. James Volney Walker was a tobacco planter near Russellville, Ky. He was a Representative and State Senator.

2. Frances, daughter of David Walker and Mary Barbour Walker, was born December 7, 1796; married Humphrey Gwynne. Two of their sons, David Walker Gwynne and Walter Gwynne, moved to Florida and their descendants are now living near Tallahassee.

3. Polly or Mary, born December 16, 1797; married Richard K. Meade.

4. Philip Jefferson, born August 13, 1801.

THE WALKER FAMILY IN AMERICA

Compiled by Sue H. Walker, August 1929

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Capt. Thomas Walker (also Dr.), the first of his family in America; came from Staffordshire, England, about 1650. He was a member of the colonial assembly or House of Burgesses from Gloucester County, at Williamsburg, then the capital of Virginia, in 1663 as Captain, in 1666 as Major.

His son John Walker of King and Queen County, Virginia, married Rachel, daughter of Capt. Richard Croshaw of York County. To them were born:

1. Richard Croshaw, 2. John, 3. Thomas, married at St. Clements Church, King and Queen County, Sept. 29, 1709, Susanna, whose surname is thought to have been Peachy. To Thomas and Susanna Walker were born several children, whose births are recorded in the old family Bible now (1929) in possession of Dr. Rowland H. Walker of Norfolk, Va. Record of marriage of Thomas Walker and Susanna is given (also is recorded the birth of Volney Walker, born March 17, 1797, son of Humphrey and Frances Temple Walker). Entries of children born to Thomas and Susanna Walker:

My daughter Mary Peachy Walker was born ye first oure of ye 30th day of January 1710 - baptized the day following ye 31st. This Mary Peachy, daughter of Thomas and Susanna Walker, married Dr. George Gilmer of Williamsburg; their son George married Elizabeth Lewis.

John, son of Thomas and Susanna, married Nov. 9, 1735, Miss Baylor of Essex County. They had three children: a son Baylor and two daughters, Susanna and Elizabeth. One of these daughters married Rev. James Maury, it is thought, as Peter Fontaine, uncle of Rev. James Maury, stated in a letter that this nephew married a Miss Walker, niece of Dr. Thomas Walker, son of Capt. Thomas and wife Susanna, born Jan. 15, 1715; died Nov. 9, 1794. He married in 1741 Mildred Thornton, daughter of Col. Francis Thornton and wife Mary Talliaferro, of Caroline County, Va. This Mildred Thornton first married Nicholas Meriwether and was a widow.

In 1765 Dr. Thomas Walker built the home "Castle Hill", well-known to Virginians. The quaint old hall has echoed to the violin of Jefferson (whose father, dying, left Dr. Thomas Walker as guardian to his son who came to live in his house) and to the step of Madison in merry dance. Dr. Walker was a member of the House of Burgesses from Albemarle County 1768 and was appointed (next in order to George Washington) one of the commissioners for arranging a treaty with the Ohio Indians. He was a member of the Committee of Safety of Virginia. In 1774 he was a member of the Council of State. He died Nov. 19, 1794 and was buried at "Castle Hill".

His eldest son John was aide-de-camp to Washington and later in the Senate.

The youngest son Francis was a representative in Congress, also. He married Jane Byrd Nelson 1798. Their daughter, Judith Page Walker, married William C. Rives, the author.

Dr. Thomas Walker and wife, Mildred Thornton, had twelve children. Mary, born 1742, in 1760 married Nicholas Lewis, son of Col. Robert Lewis and Jane Merriwether. John, born 1743, married Elizabeth Moore in 1764. Susanna, born 1746, married Henry Fry. Thomas, born 1748, married Margaret Hoops of Pennsylvania in 1773. Lucy, born 1751, married George Gilmer in 1771. Elizabeth, born 1753, married Rev. Mathew Maury in 1773. Mildred, born 1755, married Joseph Hornsby of Williamsburg, Va., in 1770. Sarah, born 1758, married Col. Reuben Lindsay, in 1778. Martha, born 1760, married George Divers, 1780. Reuben, born 1762, died 1765. Francis, born 1764, married Jane Byrd Nelson in 1798. Peacy, born 1767, married Joshua Fry in 1787.

5. Wythe, born Sept. 9, 1803. Married Mauzee Hogan and lived in Missouri. Several children, including David who lived in Missouri and died about 1924; Sue H., unmarried, died in Fayetteville, Arkansas in 1924; Tennessee, who married a Mr. Goodrich and had one daughter, Florence Goodrich, now living in Fayetteville.

6. Helen, born Sept. 21, 1806. Married Philip David Browder of Logan County, Kentucky.

7. George Keith, born Jan. 16, 1809. Married Mary Carnochan. He moved from Kentucky to Florida. Was Representative in Congress. Had a daughter Fanny, who married Mr. Ball of New York; also a son Wythe David Shelby, lawyer, statesman and Confederate soldier, born May 26, 1815 in Kentucky. Died 1891 in Tallahassee, Florida. Was Governor of Florida 1866; removed on account of Reconstruction Act. Served two years. Married 1842 Philoclea Alston. Second marriage to Lizzie Duncan, daughter of Erastus B. Duncan and Courtney Walker (daughter of Jacob Wythe and Nancy Hawkins Walker). Had two sons by first marriage, Alston and David, a brilliant young lawyer who died at 21 years. One daughter, Florida, who was married to Augustus William Cockrell, and a daughter Courtney by his wife Lizzie Duncan who married Judge Cockrell, son of Augustus W. Cockrell by first wife, Susan Spruce. A granddaughter, Evelyn Cockrell, lives with her mother, Florida Walker Cockrell, at Thomasville, Georgia.

Jacob Wythe Walker, second son of Col. George Walker and Mary Meade, was born in Culpeper County, Virginia; moved to Kentucky with his brother David. Married Nancy Hawkins, reared his family in Kentucky, went to Edwardsville, Illinois, for a time, then returned to Kentucky. In 1836 he removed to Fayetteville, Arkansas, where his son David had preceded him. Was president of the State Bank of that place until his death, December 1838. Children of Jacob Wythe Walker and Nancy Hawkins Walker are:

1. David, born Feb. 19, 1806 in Todd County, Kentucky; died Sept. 30, 1879, at Fayetteville, Arkansas. Came from Kentucky to Fayetteville Oct. 30, 1830. Returned to Kentucky to be married to Jane Lewis Washington, Jan. 31, 1833. He was three times elected to the Arkansas Supreme Court, once as Chief Justice, twice as Associate Justice. In 1861 he was president of the Secession Convention. He was Judge Advocate with rank of Colonel on the military bench of the Confederate army. He was foremost in procuring for his home town of Fayetteville, railroad facilities and the location of the state university. He died Sept. 30, 1879 from effects of a fall from his buggy. Was interred in the family cemetery beside his wife, Jane Lewis Washington Walker. Their children were:

1. Jacob Wythe, born Feb. 2, 1834; killed in battle of Jenkins Ferry, Arkansas, 1864. Was Captain in the Confederate army.

2. Charles Whiting, born Dec. 24, 1835; died Jan. 7, 1924. Was lawyer and Confederate soldier. Married Serena Jernigan 1867. Had three daughters:

1. Nannie, married Dr. G. A. Warren of Black Rock, Ark.
2. Louisa, married Pool Courtland Wickersham of Newport, Ark.; lived in Oakland, Calif.
3. Jane Lewis, married (1) Walter Reece, (2) John Tillman Jr.; live in Pawhuska, Okla.

3. Mary, born Dec. 21, 1837; died March 31, 1910. Married James David Walker, son of James Volney Walker and Mary Barbour Walker. James David Walker, lawyer, Confederate soldier and U.S. Senator was born near Russellville, Kentucky. He came to Arkansas in 1847. Studied law under his kinsman, David Walker. Admitted to practice law in 1850 at Fayetteville, Ark. Was Colonel of Confederate regiment. Captured by Federals while on sick leave, taken a prisoner to the North, released by an exchange of prisoners. Resumed law practice at Fayetteville in 1865. Was Solicitor General of State of Arkansas. Was U.S. Senator from Arkansas for term of six years. Resumed law practice in 1885 at Fayetteville, at which place he died Oct. 17, 1906. The children of James David Walker and Mary Walker are as follows:

1. Susan Howard, born Sept. 6, 1857, unmarried, specialized in art as teacher and decorator. Member Arkansas Society, Colonial Dames. President of Southern Memorial Association and Vice-President General of Confederated Southern Memorial Associations. Member of Episcopal Church, as her mother and all her Washington ancestors were.

2. James Volney, born March 11, 1859. Married Nancy Cravens, daughter of Col. Jesse L. Cravens and Caroline Williams Cravens. James Volney Walker was prosecuting attorney 1886; U.S. District Attorney for central Indian Territory district. He was president of the state bar association. Served in state legislature and aided in defeating attempt to remove the University from his home town of Fayetteville. He was graduate of the state university at 18 years of age, and received honorary degree of LL.D. in 1927. James Volney Walker and Nancy Cravens Walker were parents of a son

1. James Randall, born June 16, 1886

3. Jacob Wythe, born Jan. 26, 1866; died Dec. 22, 1928. Married Oct. 20, 1897 to Mary Byrnes, daughter of Albert M. Byrnes and Mary McCoy Byrnes of Fayetteville, Ark. J. Wythe Walker read law with his father and was admitted to the bar in 1886. Two years later he formed partnership with his brother, James Volney Walker, and they practiced law together for 40 years. From 1898 J. Wythe Walker was prosecuting attorney. Children of Jacob Wythe Walker and Mary Byrnes Walker are:

1. James Byrnes, born August 1898; married Virginia Keasy of Chicago. They have one child
 1. Virginia Doreen, born July 29, 1924
 2. Jacob Wythe, Jr., born Sept. 27, 1901; married Frances Stone.
 3. Richard Courtney, born March 18, 1909.
 4. Jack (baptized John), born Jan. 29, 1869; died Aug. 29, 1932. In 1892 he was elected Circuit Clerk and re-elected in 1894. In 1900 elected Mayor of Fayetteville. When Woodrow Wilson became President, Jack Walker was appointed Internal Revenue Collector for Arkansas, which position he held for 8 years.
 5. David, born April 17, 1872. Contrary to usual legal trend of his family, he selected dentistry as his profession and practiced in Little Rock and Fayetteville.
 6. George, born June 20, 1874; died August 6, 1888.
 7. Mary Norma, born Dec. 9, 1877; died Feb. 11, 1892.
 8. Jennie, age 3
 9. Nannie, 6 months, died in 1863.
-
2. Mary, born Dec. 1, 1807; married Maj. Benjamin Moore, planter of Crawford County (Van Buren, Ark.). First son was
 1. David Walker Moore, Confederate soldier, born Oct., 1839; died at Van Buren April 6, 1912.
 3. Lucy, born October 1809. Married Adam Carnahan, Presbyterian minister.
 4. Margaret, born July 28, 1811. Married James Pope. They had
 1. Lucy
 2. Anna
 3. Emily
 4. James
 5. Courtney, born April 1, 1813. Married Erastus B. Duncan, Methodist minister, in 1839. Their daughter
 1. Elizabeth was second wife of Governor David Shelby Walker of Tallahassee, Florida.
 6. Helen, born April 10, 1815; died unmarried.
 7. John James, born Jan. 17, 1817; died 1886, unmarried. Captain in Confederate army. Lived at Ozark.
 8. Emily, born Dec. 3, 1818. In 1839 married Royal T. Wheeler. Lived and died in Austin, Texas.

9. Martin Kidder. Born May 1, 1822; died 1899. Married Ann Van Winkle. Had large family.

4. Edmond Hawkins, born April 28, 1840, at Fayetteville, Ark.; died 1914 at Coal Hill, Ark. Married Susan Elizabeth Pegram. Children:

1. John
2. Jane
3. Mary
4. Benjamin
5. Wythe

5. Nancy, born Dec. 24, 1842; died Feb. 13, 1910. Married Charles Ratcliff Buckner of Hopkinsville, Ky. Children:

1. Jane
2. George
3. Charles
4. Walker

6. David, born Feb. 27, 1847; married Roberta Buckner of Hopkinsville, Ky., two daughters:

1. Kate
2. Nannie

James Volney Walker, oldest son of David and Mary Barbour Walker, born August 6, 1799, in Logan County, Ky.; died August 1855. Married Susan Howard McLean. Their children:

1. Jefferson Andrew, born April 7, 1824; married Caroline Browder. Children:

1. James Volney, who married Bowden Rizer. Their children:
 1. Mary, who married James Monroe Perry of Russellville, Ky.
 2. Richard Davis, who married May Threefoot. They had several children and lived in Mobile, Alabama.
2. John, of Montgomery, Ala. Married Jennie Rizer of Kentucky. Their sons, all married, are
 1. Volney
 2. Rizer
 3. John

2. Mary Barbour, born Nov. 22, 1822; died 1899. Married Benjamin Pegram.

1. Catherine
2. Susan, who married Edmond Hawkins Walker
3. Francis
4. James
5. Martha
6. David Stithe

3. John, born July 8, 1826; died about 1889. Married (1) Sallie Carr of Kentucky; (2) Rhoda Harvey of Arkansas. Had

1. Mary Susan

2. E. M. McLean, who married Lena Cato. Their children:

1. Jack

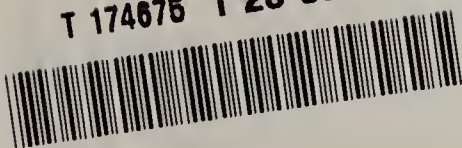
2. Joseph

3. Margaret

4. Ephraim McLean Walker, born Aug. 9, 1828; died 1861. Married Mary Louise McLean, born May 20, 1828; died Dec. 16, 1896 at Guthrie, Ky. Had two sons who died in infancy.

5. James David (youngest son of James Volney Walker and Susan Howard McLean Walker), born Dec. 13, 1830; died Oct. 17, 1906. Married Mary Walker, daughter of David Walker and Jane Lewis Washington Walker on Dec. 4, 1856.

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